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TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[1952 Dept. Cir. 530, 6th Rev., Amdt. 9, Feb. 13, 1945]

PART 315—UNITED STATES SAVINGS BONDS

REISSUE DURING THE LIVES OF BOTH COOWNERS

JANUARY 18, 1952.

Pursuant to section 22 (a) of the Second Liberty Bond Act, as amended (55 Stat. 7, 31 U. S. C. 757c), § 315.45 (b) of Department Circular No. 530, Sixth Revision, dated February 13, 1945 (31 CFR 315), as amended, is hereby further amended, effective February 1, 1952, to read as follows:

(b) *Reissue during the lives of both coowners.* Except as otherwise specifically provided by the regulations in this subpart, a bond held in coownership may be reissued during the lives of both coowners only upon the request of both and under the following specific circumstances:

(1) In the name of either coowner, alone, or with a new coowner or with a beneficiary:

(i) If the coowner whose name is to remain on the bond is related to the coowner whose name is to be eliminated as coowner either as husband or wife, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, or nephew or niece; the term "child" includes a child legally adopted as well as a stepchild; the terms "brother" and "sister" include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption: *Provided, however,* That the Treasury reserves the right to reject any application for reissue hereunder, in whole or in part, upon a determination that the transaction would tend to evade or defeat the purposes of the limitation on holdings or the restriction against the transferability of savings bonds;

(ii) If one of the coowners is married after the issue of the bond; and

(iii) If the coowners are divorced or legally separated from each other, or their marriage is annulled, after the issue of the bond.

Requests for reissue of any of the above three classes should be made on the current revision of Form PD 1933 and should be signed by both coowners. Such requests will not be approved unless the coowner whose name is to be eliminated from the bond is of full age and legally competent. A minor coowner may execute the form if (in the opinion of the certifying officer) he is of sufficient competency and understanding to comprehend the nature of the transaction and reissue of all the bonds is to be made in the name of such minor alone or, if he so requests, with another coowner or a beneficiary.

(2) If the bond is of Series F or G, it may be reissued in the name of a trustee of a living trust created by both coowners for the benefit of both, in whole or in part, during their lifetime whether or not containing an absolute power of revocation in the grantors. Requests for reissue under this provision should be made on Form PD 1851 and will not be approved unless both coowners are of full age and legally competent.

(Sec. 22, 49 Stat. 41, as amended; 31 U. S. C. 757c)

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is found to be impracticable and unnecessary with respect to these regulations, since, among other reasons, this amendment does not diminish but rather enlarges the rights of bondholders.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-975; Filed, Jan. 24, 1952; 8:49 a. m.]

[1952 Dept. Circ. 885, Amdt. 1, Mar. 26, 1951]

PART 329—OPTIONS OPEN TO OWNERS OF MATURING UNITED STATES SAVINGS BONDS OF SERIES E

FURTHER INTEREST AFTER MATURITY

JANUARY 9, 1952.

Pursuant to the Second Liberty Bond Act as amended § 329.2 of Department Circular No. 885 dated March 26, 1951

(Continued on p. 753)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

(16 F. R. 2956), is hereby amended and revised to read as follows:

§ 329.2 *Further interest after maturity.* (a) Owners of Bonds of Series E, which mature on and after May 1, 1951, have the option of retaining the matured bonds for a further 10-year period and earning interest upon the maturity values thereof payable at the rate of 2½ percent simple interest per annum, if redeemed during the first 7½ years, as provided in the Table of Redemption Values at the end of this part, and payable at a higher rate thereafter so that the aggregate return for the 10-year extension period will be about 2.9 percent compounded semiannually. No action is required of owners desiring to take advantage of the extension. Merely by continuing to hold their bonds after maturity owners will earn further interest in accordance with the schedule set forth in the table at the end of this part.

(b) Interest hereunder accrues at the end of the first half-year period following maturity and each successive half-year period thereafter. If the bonds are redeemed before the end of the first half-year period following maturity, the owner is entitled to payment only at the face value thereof.

(Sec. 22, 49 Stat. 21, as amended, sec. 1, Pub. Law 12, 82d Cong., 31 U. S. C. 757c)

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is found to be impracticable and unnecessary with respect to these regulations, because this amendment is issued merely for the purpose of clarifying provisions of the original regulations, and in no way limits or restricts the rights which owners of bonds of Series E have acquired thereunder.

The first sentence of § 329.2 as originally issued stated that interest upon the maturity values of the bonds would accrue at the rate of 2½ percent simple interest per annum for the first 7½ years whereas the last sentence of that section makes it clear that the rate of accrual is governed by the schedule set forth in the table at the end of this part. Actually the schedule provides for the accrual of interest at a rate higher than 2½ percent for the 7 to 7½ year period following maturity, although such rate is collectible during (but not before) the 7½ to 8 year period (which in the schedule is designated as the 17½ to 18 year period after issue date). The purpose of this amendment is to render clear this attractive feature of the extended maturity value of bonds of Series E.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-976; Filed, Jan. 24, 1952; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 119, Correction]

CPR 119—MECHANICAL PRECISION SPRINGS, METAL STAMPINGS AND SCREW MACHINE PRODUCTS

CORRECTION

Due to clerical error, the reference to an OPS Public Form in section 4 (b) of Ceiling Price Regulation 119, issued January 15, 1952, effective January 21, 1952, was incorrectly printed. Accordingly, the first paragraph of section 4 (b) of CPR 119 is corrected to read as follows:

(b) *Report where you are proposing a price determining method.* Where you are proposing a price determining method, your report must contain the following information: (This report may be filed on a copy of OPS Public Form No. 129 which may be obtained from your nearest OPS office).

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 23, 1952.

[F. R. Doc. 52-1059; Filed, Jan. 23, 1952; 4:35 p. m.]

[Ceiling Price Regulation 6, Amdt. 12]

CPR 6—FATS AND OILS

SALES TO TERRITORIES AND POSSESSIONS OF THE UNITED STATES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 12 to Ceiling Price Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment terminates the applicability of Ceiling Price Regulation 6 to territories and possessions of the United States and again places fats and oils produced in these areas under the General Ceiling Price Regulation. This action is taken because the ceiling prices specified in CPR 6 were established primarily for use in markets of the continental United States and hence are not suitable when applied to sales in the territories and possessions of the United States. It is anticipated that tailored regulations will be issued to govern sales of fats and oils produced on a commercial scale in the territories and possessions.

AMENDATORY PROVISIONS

Section 2 of Ceiling Price Regulation 6 is amended to read as follows:

SEC. 2. *Applicability.* The provisions of this regulation are applicable in the 48 states of the United States and in the District of Columbia.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective January 29, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1108; Filed, Jan. 24, 1952; 4:00 p. m.]

[Ceiling Price Regulation 14, Amdt. 11]

CPR 14—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

OWNED OR EXCLUSIVELY CONTROLLED LABELS OR BRANDS OF FOOD COMMODITIES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 11 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 14 is a complete revision of Amendment 6 to that regulation. Experience in handling applications filed under the amendment has shown that considerable confusion exists concerning the intention and mechanics of Amendment 6. The purpose of this revision is to clarify Amendment 6, while retaining its basic provisions.

First, it has been made clear that the requirements must be met individually on each label or brand for which application is made. Moreover, the permitted addition to net cost, and the corresponding reduction have no effect on other private labels or brands which the applicant owns or controls in the area in which he operates.

Second, the listing requirement has been revised to make it clear that the applicant must list the foods, bearing the label for which he wishes adjustment, by type, grade, variety and quality in each of the commodity groups of Table A. Also, the revised amendment shows explicitly that the corresponding reduction applies only to foods of the same type, grade, variety and quality bearing labels or brands not owned or exclusively controlled by the applicant, without regard to size of containers.

Third, the use of the terms "item", "commodity" and "category" has been limited to avoid confusion.

However, the basic considerations, in the light of which the amendment was originally issued, continue to be applicable. To ensure competitive existence the wholesaler devised a plan whereby he could offer to the retailer staple and nationally advertised goods at a small margin while at the same time offering private label goods at a higher margin of profit. This would permit the wholesaler, as well as the retailer, to compete against the chain or supermarket operator. In keeping with this plan it became necessary for the wholesaler to promote his private label in such a manner as to create consumer acceptance comparable to that which has been created for nationally advertised goods by the large manufacturer or processor. Consumer acceptance for nationally advertised goods is created by the large manufacturer or processor through extensive advertising campaigns, the expense of which is included by the manufacturer or processor as a part of his cost.

Accordingly, in developing private label goods the wholesaler found it necessary to use the same media as the manufacturer or processor in creating consumer acceptance for his goods. The private label wholesaler advertises through newspapers, radio, television, magazines, billboards, posters, direct merchandising aids to his retail trade such as display cards, window posters, and other shoppers guides. In addition, the promotion of private label or controlled brands requires label expense, specialized sales staff, etc. The increased expense entailed in such promotion cannot be recaptured by the wholesaler under the present method of pricing in CPR 14; nor was it fully considered at the time that markups in CPR 14 were computed.

Available data indicate that an additional allowance, not to exceed five percent (5 percent), is necessary in order to permit those wholesalers performing the above functions for private label goods to recoup the costs incident to the performance of such functions. The continuation of this type of merchandising and food distribution is extremely important not only for the success of wholesalers and retailers but also for the large number of small canners, processors, and manufacturers who are primarily engaged in packing such private label goods.

Accordingly, this amendment establishes an adjustment procedure whereby any food wholesaler subject to CPR 14, who owns or exclusively controls in the area in which he operates a label or brand placed on containers of food, may be authorized, upon application and under certain conditions, to add a specific percentage markup, not to exceed five percent (5%), to the "net cost" of foods bearing such label or brand and subject to the markups in CPR 14.

At the same time, available facts indicate that wholesalers distributing private label goods did not realize historically as high a percentage markup on all other non-private labels or brands of the same type, grade, variety, and quality as is presently permitted under CPR 14. The aim of this amendment is to restore to these sellers their historic method of operation insofar as it is consistent with the pattern of price control established by CPR 14. To omit a requirement for corresponding reductions on non-private labels or brands in conformity with the historic pricing practice would result in a windfall. Therefore, any wholesaler who is granted an adjustment under the provisions of this amendment permitting him to add a specific percentage markup to "net cost" for private label goods must also reduce by the same percentage figure his "net cost" for all other non-private labels or brands of the same type, grade, variety, and quality which he does not own or exclusively control in the area in which he operates.

Additionally, available facts indicate that certain service wholesalers distributing goods bearing their owned or exclusively controlled label or brand have also distributed the same goods through their cash-and-carry departments at the same price. Therefore, this amendment provides for authorizing these service wholesalers to continue this practice if they can establish that they continuously did business in such a manner during the calendar year 1950.

It should be understood that this amendment is an interim measure to be re-examined in the event of tight supplies. Further, the Office of Price Stabilization may revise this regulation if it determines that the ceiling prices established under this amendment are either too low or too high in the light of the data it will collect through its studies of margins and earnings figures and through other means.

FINDINGS OF THE DIRECTOR

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Sections 27b and 27c of Ceiling Price Regulation 14 are revised to read as follows:

SEC. 27b. *Additional allowance to wholesalers to cover cost of product promotion.* (a) If you sell any of the foods covered by Table A (exclusive of frozen foods) under a specific label or brand owned or exclusively controlled by you in the area in which you operate and you advertise or otherwise promote this label substantially to the same extent as you did in the calendar year 1950 or in your most recent fiscal year prior to May 1, 1951, you may apply for authority to add a specific percentage figure to your "net cost" of the foods bearing this label. To obtain authority to add such a figure to your "net cost", you must show that you have not been granted an adjustment under sections 26a, 28, 28a, or 28b of this regulation. In addition, you must establish that for all of the calendar year 1950 or your most recent fiscal year prior to May 1, 1951:

(1) You owned or exclusively controlled in the area in which you operate a label or brand placed on containers of foods covered by this regulation. (If you cannot meet this requirement, you should look at paragraph (f) of this section to see if it is applicable to you.)

(2) You continuously offered foods covered by this regulation and bearing this label or brand for sale to retail food stores.

(3) Foods bearing this label or brand were sold by no other wholesaler in your area.

(4) The dollar volume of your sales of foods covered by Table A and bearing this label or brand (exclusive of frozen foods) represented at least ten percent (10%) of your total dollar volume of sales covered by Table A (exclusive of frozen foods). Sales to other wholesalers may not be included in computing this 10 percent figure.

(5) You spent at least one and one-half percent (1½%) of the total dollar volume of your sales of foods covered by Table A (exclusive of frozen foods) and bearing this label or brand in advertising, promoting and merchandising this label or brand through newspapers, radio, television, magazines, billboards, posters, retail distributors' materials, store demonstrations including consumer samplings, and other means of promotion. In finding the amount you spent for advertising, promoting or merchandising, you may include the net cost of labels and that part of the salaries or other compensation paid to specialty salesmen or supervisors for those purposes. You may not, however, count salaries or other compensation paid to other salesmen or supervisors, nor may you count any part of the advertising or promotion cost borne by any processor, supplier, manufacturer, packer, or customer, either directly or indirectly, by allowances, discounts, price differentials, rebates, or any other method.

(b) If you establish that your cost of product promotion was more than one and one-half percent (1½%) but less than three and one-half percent (3½%), you may add three and one-half percent (3½%) to your "net cost" of foods bearing the specified label or brand and listed in your application as required in paragraph (d) (8). After adding this percentage figure to your "net cost", you may then, of course, apply the markups fixed in Table A. If you establish that your cost of product promotion was more than three and one-half percent (3½%), you may add the actual cost of product promotion, up to five percent (5%), to your "net cost". You may not, in any case, make this addition to "net cost" until you have filed your application, nor may you make this addition for sales to other wholesalers.

(c) If you are authorized under the provisions of this section to add a specific percentage figure to your "net cost", you must also reduce by the same percentage figure your "net cost" of all foods of the same type (i. e., "cut", "sieve", "pitted" vs. "unpitted", "peeled" vs. "unpeeled", etc.), grade, variety and quality bearing labels or brands not owned or exclusively controlled by you. You must apply the reduction without regard to size of containers.

EXAMPLE. If you are authorized to add a percentage figure to your "net cost" of X brand of fancy yellow cling peaches, halves, you must reduce your "net cost" by the same percentage figure on all other brands of fancy yellow cling peaches, halves, which you do not own or exclusively control.

(d) Your application must contain a statement that you are now advertising, promoting or merchandising the label or brand for which you are applying substantially to the same extent as you did in the calendar year 1950 or your most recent fiscal year prior to May 1, 1951. This statement must be supported by data showing your current expenditures for advertising, promoting or merchandising that label or brand. It must also state that you have not been granted an adjustment under sections 26a, 28, 28a, or 28b of this regulation. Finally, your application must state the class of wholesaler designated by you on Public Form No. 4 filed with your OPS District Office, and for all of the calendar year 1950 or your most recent fiscal year prior to May 1, 1951:

(1) Your total dollar volume of sales of all foods covered by Table A of this regulation (exclusive of frozen foods).

(2) The label or brand to which your application relates.

(3) Your total dollar volume of sales of all foods covered by Table A and bearing this label or brand.

(4) Your total advertising, promotional, and merchandising expenses, including an accurate listing of the net cost of labels and that part of the salaries or other compensation paid to specialty salesmen and supervisors, for the purpose of promoting the merchandise which bears the label or brand for which you are applying. You must not include in this figure any such expenses paid, in whole or in part, by your suppliers, or your customers, either directly or indirectly, by allowances, discounts, price differentials, rebates, or any other method, nor may you include any salaries, commissions, or any other compensation paid to other salesmen or supervisors.

(5) The percentage of your total dollar volume of sales of foods covered by Table A (exclusive of frozen foods) and bearing this label or brand which your expenses for advertising, promoting and merchandising the label or brand represent. Determine this figure by dividing the figure submitted in answer to subparagraph (4) by the figure submitted in answer to subparagraph (3).

(6) A list of the foods, by type, grade, variety and quality in each of the commodity groups of Table A for which you wish authority to add a specific percentage figure to your "net cost".

For example:

TABLE A, GROUP 12

Peaches, fancy, yellow cling, halves, heavy syrup.
Pineapple, fancy, Hawaiian, sliced.
Pears, bartlett, choice, halves.

TABLE A, GROUP 33

Peas, Alaska fancy.
Peas, early June fancy.

(7) A description of your advertising, promotion and merchandising programs, including representative samples of your labels and advertising and promotional materials.

(8) A profit and loss statement.

(9) A balance sheet.

(e) (1) Your application must be filed in duplicate with the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C. As soon as you have filed your application you may begin to add the appropriate percentage figure to your "net cost", as specified in paragraph (b) of this section. As soon as you begin to make the addition, you will, of course, have to begin making the reduction required by paragraph (c).

(2) The authority to add a specific percentage figure to your "net cost" may be withdrawn at any time if the Office of Price Stabilization finds that you have not met or no longer meet any of the requirements of this section.

(3) If at any time after you are authorized to make an addition to your "net cost" under this section your method of promoting the label or brand covered by your application changes in any material respect, you must report the changes immediately to the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C.

(4) The furnishing of a list of the foods for which you seek authority to add a specific percentage figure does not mean that the adjustment granted under this section is permanently restricted to the foods you have listed. You may at any time add new foods to be sold under the label or brand for which you have filed an application and make, with respect to them, the addition authorized under this section. Moreover, you may, at any time, remove foods from the list which you have submitted. You must, however, notify the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C., before you sell under this label or brand a food not listed in your application or discontinue a food which you did list.

(f) This paragraph applies to you if you did not make any special advertising or promotional efforts in the calendar year 1950 or in your most recent fiscal year prior to May 14, 1951, with regard to a given label or brand which you own or exclusively control in the area in which you operate, or, if you made such efforts, they were not sufficient to enable you to meet the requirements of paragraph (a) of this section. If you desire to obtain authority to add a specific percentage figure to your "net cost" of foods you now sell or plan to sell under that label or brand, you may make an application (in duplicate) to the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C., giving the following information:

(1) The class of wholesaler designated by you in Public Form No. 4 filed with your OPS district office.

(2) Whether you have applied for adjustment under any provisions of this regulation and whether your application

for such adjustment has been granted, in whole or in part.

(3) Your estimated dollar volume of sales of all foods listed in Table A of this regulation, exclusive of frozen foods, for the next twelve months.

(4) Your estimated dollar volume of sales for the next twelve months of all the Table A foods (exclusive of frozen foods) bearing the label or brand covered by your application.

(5) An estimate of the amount you propose to spend for advertising, promotion, and merchandising, including the net cost of labels and that part of the salaries or other compensation to be paid to specialty salesmen and supervisors during the next twelve months for the purpose of promoting the merchandise bearing the label or brand for which you are applying. You must not include in this figure any expenses to be paid, in whole or in part, by your supplier or your customers either directly or indirectly by allowances, discounts, price differentials, rebates, or any other method, nor may you include the salaries, commissions, or any other compensation to be paid to other salesmen or supervisors.

(6) The percentage of your estimated dollar volume of sales of foods covered by Table A (exclusive of frozen foods) and bearing this label or brand which your proposed expenditures for advertising, promoting, and merchandising the label or brand represent. Determine this figure by dividing the figure submitted in answer to subparagraph (5) by the figure submitted in answer to subparagraph (4).

(7) A list of the foods, and the grade, type, variety and quality of each, in each commodity group of Table A for which you seek authority to add a specific percentage figure. For an example of such a list see subparagraph (d) (6).

(8) A description of your proposed advertising, promotion and merchandising programs, with respect to the label or brand involved, including representative layout copy of your proposed advertising, labels and promotion.

You may not operate under this paragraph until you are notified in writing by the Director of Price Stabilization of the additional percentage figure, not to exceed five percent (5%), which you will be allowed to use. If your estimated expenditure is at least 1½% but not more than 3½%, you may be granted authority to add 3½% to your net cost. If your estimated expenditure is more than 3½% you may be granted authority to add your estimated percentage figure not to exceed 5%. In the event you are granted authority to add a specific percentage to your "net cost" of foods bearing the label or brand covered by your application, you must also reduce by the same percentage figure your "net cost" of all foods of the same type (i. e., "cut", "sieve", "pitted", vs. "unpitted", "peeled" vs. "unpeeled", etc.), of the same grade, variety and quality bearing labels or brands not owned or exclusively controlled by you. In addition, within 25 days after the close of the first 6 months of your operation under this paragraph, you must submit to the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C., a new application under the provisions of paragraph (a) of this section using your experience for this 6-month period.

The furnishing of a list of the foods for which you seek authority to add a specific percentage figure does not mean that the adjustment granted under this section is permanently restricted to the foods you have listed. You may at any time add new foods to be sold under the label or brand for which you have filed an application and make, with respect to them, any addition which you may have been allowed to make under this paragraph.

Moreover, you may, at any time, remove foods from the list which you have submitted. You must, however, notify the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C., before you sell under this label or brand a food not listed in your application of discontinue a food which you did list.

SEC. 27c. *The use in cash-and-carry department of a service wholesaler's ceiling prices for "private label" foods.* (a) If you are a service wholesaler, you may, with respect to Table A foods (exclusive of frozen foods) bearing a label or brand owned or exclusively controlled by you in the area of your operations, obtain permission to use in your cash-and-carry department the ceiling prices applicable to your service department. In order to obtain this permission, you must establish that:

(1) You now operate a cash-and-carry department and that you operated one throughout the calendar year 1950. (If you operated more than one cash-and-carry department or cash-and-carry branch warehouse, you may combine them all in one application if they all had the same prices throughout the calendar year 1950.)

(2) You can meet the requirements for an adjustment as set out in section 27b of this regulation.

(3) Throughout the calendar year 1950 you sold or offered for sale from your cash-and-carry department foods bearing the label or brand, for which you can obtain an adjustment under section 27b, at the same prices as in your service department.

(b) To obtain the permission provided for in this section, you must file an application containing:

(1) A statement of your pricing practice during the calendar year 1950 in regard to foods sold under this label or brand with respect to which you are applying.

(2) The class of wholesaler designated by you on Public Form No. 4 filed with your OPS District Office.

(3) A list of the locations for which this permission is requested.

(4) All the information required to be furnished under paragraph (d) of section 27b, unless you have already filed an application under that paragraph giving that information.

(5) A statement that records (including invoices and other cost data) substantiating your statement under subparagraph (1) above are on file at your usual place of business for inspection by the Director of Price Stabilization.

(c) Your application must be filed in duplicate with the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C. You may not price under this section until you have received specific authority in writing from the Director of Price Stabilization to do so.

(Sec. 704, 64 Stat. 816, as amended: 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on January 24, 1952.

NOTE: The record-keeping and reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1109; Filed, Jan. 24, 1952; 4:00 p. m.]

[Ceiling Price Regulation 22, Amdt. 4 to Supplementary Regulation 7]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

SR 7—MODIFICATIONS AND ALTERNATIVE PROVISIONS FOR MANUFACTURERS OF CHEMICALS

COBALT CHEMICALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 4 to Supplementary Regulation 7 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides a price increase for manufacturers of cobalt chemicals, who have experienced financial hardship as a result of a substantial increase in the price of imported cobalt, their principal raw material. A recent 30 cents per pound increase in the foreign price of cobalt has been reflected in corresponding cost increases to domestic users in the United States.

The cost of cobalt generally represents more than two-thirds of the cost of a cobalt chemical. The increase in the price of cobalt thus has had a very significant effect on the cost of producing these vitally important chemicals. The Director has been informed by many manufacturers that continued production of essential cobalt chemicals could not be maintained at present ceiling prices. There are grounds for believing that the sizeable increase in the price of cobalt has reduced the cobalt chemicals industry's overall earnings, as well as its margins on cobalt chemicals, below the minimum requirements of the earnings or product standard.

Ordinarily, in this situation OPS would make a financial survey of the industry's earnings or a study of the cost-price relationship for cobalt chemi-

cals, to determine the exact amount of any price increase which would be required under these standards. Such studies require a considerable expenditure of the Agency's limited resources especially where, as here, special forms must be designed to ascertain individual product as well as overall company data.

The cobalt chemical industry is a small one, with an annual dollar volume of sales of about $7,000,000. Moreover, these chemicals are consumed primarily by manufacturers of other products such as livestock feeds, inks and paint dryers in which they are used in very small quantities. Thus, an increase in price of cobalt chemicals will have only a slight effect on the cost of producing these other commodities and no effect upon their prices.

In these circumstances, the Director has concluded that the time and effort required to determine the precise measure of the allowable price increase is not warranted and as an alternative is permitting a partial pass-through of the increased metal costs. Therefore, although the price of cobalt has increased 30 cents a pound since the cut-off date provided by Ceiling Price Regulation 22, cobalt manufacturers are permitted to pass-through only 90 percent of this increase, or 27 cents per pound of cobalt content of the chemical. Also, since the increase allowed by this amendment is based upon the metal content of the chemical, the manufacturers will absorb the increases in the cost of raw materials which are lost in the conversion of the metal to a chemical.

Prior to the promulgation of this regulation the Director consulted with individual industry representatives to the extent practicable, and their recommendations have been considered.

AMENDATORY PROVISIONS

Supplementary Regulation 7 to Ceiling Price Regulation 22 is amended by adding a new section designated as section 6, which reads as follows:

SEC. 6. *Cobalt chemicals.* (a) This section applies to you if you manufacture chemical compounds containing cobalt, and use cobalt or cobalt oxide in the making of these chemical compounds.

(b) Your ceiling prices, which you have otherwise determined under Ceiling Price Regulation 22 (exclusive of Supplementary Regulation 17 or Supplementary Regulation 18), for any of these chemical compounds containing cobalt are increased in an amount equal to twenty-seven cents per pound of cobalt contained in the compound.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 4 to Supplementary Regulation 7 to Ceiling Price Regulation 22 is effective January 24, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc.-52-1110; Filed, Jan. 24, 1952; 4:00 p. m.]

[Ceiling Price Regulation 22, Amendment 5 to Supplementary Regulation 8]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

ADJUSTMENTS WHERE ABNORMAL RELATIONSHIPS EXIST

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Supplementary Regulation 8 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 8 to Ceiling Price Regulation 22 provides a method of determining ceiling prices for certain rubber products. Generally, to compute the ceiling price for any listed rubber commodity, a manufacturer finds the highest price charged his largest buying class of purchaser during a stated base period for that product and multiplies that price by an industry-wide cost adjustment factor listed for that item to get his Supplementary Regulation 8 ceiling price. Since all manufacturers of each listed commodity are required to compute their ceiling prices pursuant to Supplementary Regulation 8, the method of pricing used in Supplementary Regulation 8 was expected to result in individual ceiling prices which would maintain the price relationships that existed pre-Korea between manufacturers of the same commodity.

It has come to the attention of the Director that a manufacturer may have lowered his prices during the factor base period, so that those prices did not reflect the competitive price relationship to those of his competitive sellers which he customarily maintained. The proper application of Supplementary Regulation 8 would only serve to maintain this abnormal relationship, and in some instances, increase the dollar and cents selling price differential. Manufacturers under CPR 22 may choose one of four quarterly periods as their base period. To the highest prices charged during such base period they apply the cost increases they have actually experienced. However, SR 8 prescribes a particular quarter as the base period for each product line subject to the regulation and an industry-wide cost adjustment factor. Such quarter may not be, of the four available under CPR 22, the one most favorable to a particular manufacturer and the industry-wide factor might not coincide with his own individual cost increases. SR 8 is, therefore, more restrictive than CPR 22. To compensate for such difference in treatment, the Director finds it appropriate and equitable to furnish a medium for relief to a manufacturer whose prices during such prescribed base period were not in customary relationship with the industry.

A manufacturer may apply for adjustment of his ceiling price if, pursuant to the prior sections of this supplementary regulation, he computes his ceiling price for a commodity having uniform industry-wide specifications, but finds that such price is lower than the ceiling prices of all competitive sellers of the identical commodity and reflects a greater differential from the price level than he customarily maintained. The Director of Price Stabilization may, upon such application, increase the manufacturer's ceiling price for such commodity provided such increase does not bring his ceiling price above (1) the price that would reflect the customary competitive sellers of such commodity prior to June 24, 1950, and (2) the ceiling price of his lowest priced competitive seller of such commodity.

In some instances, this may permit increases in ceiling prices up to those of the lowest-priced competitive seller of such commodity and more in-line with those of the rest of the industry. This adjustment provision is limited to those commodities having uniform industry-wide specifications, so that proper price relationships may be made a basis for adjustments.

In the formulation of this amendment, there has been consultation with industry representatives and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 8 to Ceiling Price Regulation 22 is hereby amended by adding a new Section 7 to read as follows:

SEC. 7. *Adjustments where abnormal relationships exist.* (a) If, pursuant to the prior sections of this supplementary regulation, you compute your ceiling price for a commodity having uniform industry-wide specifications, but find that your ceiling price is lower than the ceiling prices of all competitive sellers of the identical commodity, and that such ceiling price does not reflect the customary competitive price relationship between yourself and other competitive sellers of such commodity prior to June 24, 1950, you may file an application for adjustment.

(b) Your application for adjustment must be made in writing to the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., and must include the following information: Your name and address; a description of the commodity for which you are requesting this adjustment and the specifications of the commodity which are recognized for it by the industry; a detailed account of how you arrive at your ceiling price pursuant to the prior sections of this supplementary regulation; a detailed statement of the relationship between your price and those of all your competitive sellers of the commodity both customarily in effect prior to June 24, 1950, and during the factor base period for that commodity; the current ceiling price under this supplementary regulation of your lowest-priced competitive seller of

such commodity; and your suggested ceiling price and how you expect it to reestablish the customary relationship between your prices and those of the industry in general.

(c) OPS will adjust your ceiling price if you prove to its satisfaction that you are entitled to relief under this adjustment provision. Such relief will not result in a ceiling price which is higher than either (1) the price that would reflect the customary competitive price relationship between yourself and your competitive sellers of the identical commodity, or (2) the ceiling price of your lowest priced competitive seller of such commodity. In acting on an application filed under this section, the Office of Price Stabilization may require you to supply any pertinent information not contained in your application. If in its judgment your proposed ceiling price will not effectuate the purposes of Title IV of the Defense Production Act of 1950, it will disapprove such proposed ceiling price and may simultaneously or subsequently establish a different amount as your ceiling price. Unless and until the Office of Price Stabilization approves, in writing, your proposed higher ceiling price, you will continue using your ceiling price established under the prior sections of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This Amendment 5 to Supplementary Regulation 8 to Ceiling Price Regulation 22 is effective January 24, 1952.

NOTE: The record keeping and report requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1101; Filed, Jan. 24, 1952; 11:48 a. m.]

[Ceiling Price Regulation 78, Amdt. 3]

CPR 78—BASIC ALCOHOLIC BEVERAGE REGULATION

DIRECTOR'S AUTHORITY TO MODIFY CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to CPR 78 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to Ceiling Price Regulation 78 (the Basic Alcoholic Beverage Regulation) a section which makes it clear that the Director of Price Stabilization may at any time disapprove or reduce a ceiling price established or proposed under one of the supplementary regulations to CPR 78, so as to bring it in line with other ceiling prices established under the particular supplementary regulation. The amendment by itself does not, of course, affect sellers pricing under the supplementary regulations to CPR 78, since it is only an amendment to the basic regulation. As was explained in the Statement of Considerations to CPR 78, the general provisions contained in that regulation, or added to it by amendment, have no pricing effect on sellers covered by a supplementary regulation to CPR 78 unless specifically referred to in the particular supplementary regulation. However, Amendment 2 to SR 1 (to CPR 78) and Amendment 3 to SR 2 (to CPR 78) incorporate into those supplementary regulations the provision herein added to CPR 78.

AMENDATORY PROVISION

Ceiling Price Regulation 78 is amended by adding the following section to Article II:

SEC. 2.18 *Modification of ceiling prices by the Director of Price Stabilization.* The Director of Price Stabilization may at any time disapprove or reduce ceiling prices proposed to be used or being used under the applicable SR so as to bring them into line with the level of ceiling prices otherwise established under the applicable SR.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment is effective January 29, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1102; Filed, Jan. 24, 1952; 11:48 a. m.]

[Ceiling Price Regulation 78, Amdt. 2 to Supplementary Regulation 1]

CPR 78—BASIC ALCOHOLIC BEVERAGE REGULATION

SR 1—DOMESTIC BULK WHISKEY

DELETION OF PROVISION FOR ISSUANCE OF MONTHLY ADJUSTMENT FACTOR AND MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 1 to CPR 78 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation (SR) 1 to Ceiling Price Regulation (CPR) 78 establishes ceiling prices for sales of domestic bulk whiskey. It was originally provided that, at the end of each month after the date of issuance of SR 1, the Office of Price Stabilization would announce an adjustment factor which was to be applied to the dollar-and-cent prices set forth in the regulation (for whiskey distilled before the regulation's issuance date) in order to determine the ceiling price for bulk whiskey distilled during that particular subsequent month. The adjustment factor was to be determined on the basis of the change in price of certain agricultural commodities used in the distillation of bulk whiskey. In fact, Amendment 1 to SR 1 did announce an adjustment factor for whiskey distilled during October, 1951.

That provision was included in SR 1 in order to satisfy the requirements of Section 402 (d) (3) of the Defense Production Act of 1950, as amended. Section 402 (d) (3) states that no ceiling price may be established for products processed from an agricultural commodity below that which will enable processors to pay the producers of the agricultural commodity the lower of the parity price or the other "legal minimum" prices set forth for the commodity in section 402 (d) (3). Consequently, if there was a sufficient increase in the cost of those agricultural commodities to distillers in any particular month, the adjustment factor for bulk whiskey distilled in that month would provide for an increase in the dollar-and-cent ceiling prices already set forth in the supplementary regulation, in order to reflect those higher materials costs.

The Director of Price Stabilization, however, has found this provision to be administratively burdensome, since it requires the determination and issuance of an adjustment factor every month even though the average changes in costs of the agricultural commodities used in distillation may be negligible or nonexistent. In addition, if there is any delay in the publication of an adjustment factor a certain amount of confusion results since sellers never know what their ceiling price is for whiskey distilled in a particular month after September, 1951 (the last month before SR 1 was issued) until the applicable factor is revealed.

In view of the above, the Director of Price Stabilization has issued this amendment to SR 1 which strikes from that supplementary regulation the provision relating to monthly determination of adjustment factors. Consequently, the ceiling price for domestic bulk whiskey, no matter when distilled, is to be determined under section 4, with references only to Tables I, II and III (whichever applies) of SR 1. If the costs of agricultural commodities used by distillers increase to such an extent that the ceiling prices presently contained in SR 1 are inequitable for bulk whiskey distilled from those higher cost commodities, an amendment to SR 1 will be issued to remedy the situation.

This amendment makes two further changes, which serve mainly to clarify the present provisions of SR 1. First, section 1 is modified to specifically state that SR 1 supersedes not only the General Ceiling Price Regulation (GCPR), as amended, but also SR 30 to the GCPR. Although SR 1, from its date of issuance, did (to the extent of its coverage) supersede both GCPR and SR 30 to GCPR, some confusion has resulted because this was not clearly pointed out in section 1.

Second, a slight change is made in the reporting provision (section 6 (e) (2)) for a seller who determines his ceiling price for sales of bulk whiskey under license contract by borrowing the ceiling price of his most closely competitive seller (pursuant to section 6 (c) (2)). As originally written it was inadvertently provided that the seller who was determining his ceiling price need only report

the name, address and price charged by his most closely competitive seller if that information was available to him. This amendment, however, changes that to require the submission of that information in all cases where a seller determines his ceiling price, under section 6 (c) (2), by reference to a competitive seller. Since, in order to arrive at his ceiling price pursuant to that method, a seller must have that specified information, there is of course no reason why he should not submit it. If he does not have access to that information he cannot, of course, price under section 6 (c) (2) and must apply to the Office of Price Stabilization (under section 6 (d)) for the establishment of his ceiling price.

Finally, in various sections of SR 1 there is the statement that the Office of Price Stabilization may revoke or amend any amendment or order it has previously issued establishing a ceiling price in response to an application filed under the particular section. Since such power has always rested in the Office of Price Stabilization, irrespective of any specific provisions to that effect in SR 1, those statements are unnecessary and are stricken from the regulation. At the same time this amendment incorporates into SR 1, section 2.18 of CPR 78, which makes it clear that, in all cases, the Director of Price Stabilization has the general power to disapprove or reduce ceiling prices proposed or established under that supplementary regulation so as to bring them into line with the level of ceiling prices otherwise established under SR 1.

FINDINGS OF THE DIRECTOR

In the formulation of this amendment, there has been consultation with industry representatives and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

Every effort has been made to conform this amendment to specific business practices, cost practices or methods, or means or aids to distribution. In so far as any provisions of this amendment may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of SR 1.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended; to parity prices and to other minimum requirements of the law including prices prevailing during the period May 24, 1950 to June 24, 1950, inclusive; to the standards set forth in section 402 (d) (4) of the act; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 78 is amended in the following respects:

1. (a) Section 1 is changed by striking the second sentence and substituting for it the following sentence: "If you sell domestic bulk whiskey your ceiling prices for those sales must be established under section 4."

(b) Section 1 is further changed by striking the last sentence and substituting for it the following sentence: "This regulation supersedes the General Ceiling Price Regulation (GCPR), as amended, and SR 30 to the GCPR with respect to sales of domestic bulk whiskey covered by this regulation, and supersedes CPR 34 with respect to brokers' commissions covered by this regulation."

2. Section 3 is changed by inserting the following references, in the appropriate places, in the table of sections of CPR 78 listed therein:

2.17 Sales, excise and other similar taxes.
2.18 Modification of ceiling prices by the Director of Price Stabilization.

3. Section 4 is changed by striking, from the heading of that section and from the first sentences of both paragraph (a) and paragraph (b) of that section, the words "distilled before October 1, 1951."

4. (a) The provisions of section 5 are stricken and that section is reserved for possible future use. Section 5, therefore, now appears as follows:

SEC. 5 [Reserved.]

(b) Table IV and its contents are stricken.

5. Section 6 is changed as follows:

(a) The words "or 5" are stricken from the first sentence of paragraph (b) and from the first sentence of subparagraph (c) (1).

(b) The first sentence of subdivision (c) (1) (iv) is changed to read:

Determine the price for non-license contract sales in bond of that age whiskey under section 4 (b) (2).

(c) The words "if available" are stricken from subdivision (c) (2) (ii), and the comma after the word "charges" is changed to a period.

6. The second sentence in the last unnumbered paragraph of section 7 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective", to a period.

7. The first sentence of section 8 is changed by striking the comma which follows the number "4" and by striking the number "5."

8. (a) Section 9 is amended by the following changes in both subparagraph (a) (2) and subparagraph (b) (2):

(1) The word "either" and the phrase "or section 5" is stricken from the first sentences of those two subparagraphs.

(2) The phrase "or section 5" is stricken from the second sentences of those two subparagraphs.

(b) The second sentence in the last unnumbered paragraph of subparagraph (b) (1) of section 9 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective," to a period.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective January 29, 1952.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1103; Filed, Jan. 24, 1952; 11:48 a. m.]

[Ceiling Price Regulation 78, Amdt. 3 to Supplementary Regulation 2]

CPR 78—BASIC ALCOHOLIC BEVERAGE REGULATION

SR 2—DISTRIBUTORS OF IMPORTED AND DOMESTIC PACKAGED DISTILLED SPIRITS AND WINES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Supplementary Regulation 2 to CPR 78 is hereby issued.

STATEMENT OF CONSIDERATIONS

ALTERNATIVE PERIOD FOR RETAILER'S DETERMINATION OF "REPRESENTATIVE GROUP"

Section 60 of Supplementary Regulation (SR) 2 to Ceiling Price Regulation (CPR) 78 provides that a retailer may determine his ceiling prices for items in each one of three prescribed categories by first calculating the average historical markup factor for a "representative group" of items in the particular category and then applying that markup factor to the current cost of acquisition of each item in that category. The "representative group" of items is to be determined on the basis of purchases of items in the particular category made during either the calendar year 1950 or the last fiscal year ended before January 1, 1951. However, it has come to the attention of the Director of Price Stabilization that, in the case of many small retailers, requiring them to analyze records covering a full year's purchases would prove unduly burdensome. This amendment, therefore, provides that, as an alternative, a retailer may determine his "representative group" of items in a category on the basis of the purchases he made of items in that category during the months of November and December, 1951. Since, in these two months, retail selling activity is high and retailers consequently make frequent purchases of merchandise, it is believed that the most representative items in a category can be determined by reference to this shorter period as well as to the two longer alternative periods originally specified in section 60 (a) (1).

IDENTIFICATION OF RECORD-KEEPING FORMS

Because of the urgency surrounding the issuance of Supplementary Regulation (SR) 2 to Ceiling Price Regulation (CPR) 78, there was no opportunity to complete the record-keeping forms prescribed for use under various sections of that supplementary regulation. Therefore, no more than general references to those forms were included in SR 2. However, those forms are now ready for use and, for purposes of clarity, this amendment inserts in the appropriate provisions of SR 2, the identifying OPS Public Form numbers.

DIRECTOR'S AUTHORITY TO MODIFY CEILING PRICES

In certain sections of SR 2 there is the statement that the OPS may revoke or amend any amendment or order it has previously issued establishing a ceiling price in response to an application filed under the particular section. Since such power has always rested in the OPS, irrespective of any specific provision to that effect in SR 2, those statements are unnecessary and are stricken from SR 2 by this amendment. At the same time this amendment incorporates into SR 2, section 2.18 of CPR 78, which makes it clear that, in all cases, the Director of Price Stabilization has the general power to disapprove or reduce ceiling prices proposed or established under that supplementary regulation so as to bring them into line with the level of ceiling prices otherwise established under SR 2.

FINDINGS OF THE DIRECTOR

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In the Director's judgment the ceiling prices established by this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

Every effort has been made to conform this amendment to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this amendment may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this amendment.

As far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended; to parity prices and the other minimum requirements of the law including prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Supplementary Regulation 2 to Ceiling Price Regulation 78 is amended in the following respects:

1. Section 3 is changed by inserting the following reference, in the appropriate place, in the table of sections of CPR 78 listed therein:

2.18 Modification of ceiling prices by the Director of Price Stabilization.

2. The first sentence of paragraph (b) of section 21 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 114."

3. The first sentence of paragraph (b) of section 22 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 114."

4. The first sentence of paragraph (c) of section 23 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 115."

5. The last sentence of paragraph (a) of section 24 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective," to a period.

6. The first sentence of the last unnumbered paragraph in paragraph (c) of section 25 is changed by striking the clause "and any order may be revoked or amended by the Office of Price Stabilization when the price established thereby is deemed unreasonable, excessive, or otherwise improper," and by ending the sentence with the last word before the beginning of that clause.

7. The first sentence of paragraph (b) of section 35 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 116."

8. The last sentence of subparagraph (c) (1) of section 40 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective," to a period.

9. The first sentence of paragraph (b) of section 54 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 114."

10. The first sentence of paragraph (b) of section 55 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 114."

11. The first sentence of paragraph (c) of section 56 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 115."

12. The last sentence of paragraph (a) of section 57 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective," to a period.

13. The first paragraph of section 60 (a) (1) is changed to read as follows:

(1) Select a "representative group" of the items in the same category as that within which the item or items you are pricing fall. That "representative group" is to be determined on the basis of the purchases you made of the various items in the category during either the calendar year 1950 (or the part of that year during which you were dealing in the category), or your last fiscal year ended before January 1, 1951, or the period November 1, 1951 through December 31, 1951, as follows: Consult your invoices showing the purchases of all the items in that category for whichever one of the above three periods you choose and select the item of which you made the largest dollar volume of purchases during that period, the item of which you made the second largest dollar volume of purchases during that period, the item of which you made the third largest dollar volume of purchases during that period, and so on down the line, until the items selected have accounted for at least 50 percent (by dollar volume) of the total dollar volume of purchases made by you of items in that category during the period you chose. In computing the total dollar volume of that category's purchases, you shall exclude those items for which you desire to compute ceiling prices under Article VI: Similarly, in determining the composition of the "representative group", you shall exclude those same items. (If for some reason you cannot, under this subparagraph, determine what is the "representative group" of items in the category you must apply for a "markup factor" for that category under section 61 of this supplementary regulation.)

14. The first sentence of paragraph (b) of section 60 is changed by striking the phrase "the appropriate OPS Form" and substituting in its place "OPS Public Form No. 117."

15. The last sentence of paragraph (a) of section 61 is changed by striking everything after the word "effective," and by changing the comma, which follows the word "effective," to a period.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment is effective January 29, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1104; Filed, Jan. 24, 1952; 11:48 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 70, Revision 1]

GCPR, SR 70—ADJUSTMENTS IN CEILING PRICES FOR DOMESTIC SLAB ZINC, PRIMARY LEAD, LEAD AND ZINC ORES AND CONCENTRATES, AND OTHER LEAD AND ZINC

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1 of Supplementary Regulation No. 70 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

On October 2, 1951, as part of an announced program to assure essential supplies of lead and zinc at stable and reasonable prices, the Office of Price Stabilization, upon instruction of the Director of Defense Mobilization, issued Supplementary Regulation 70 to the

General Ceiling Price Regulation which increased the ceiling prices for domestic slab zinc and primary lead two cents per pound. Subsequently, amendments to CPR 43, CPR 53, and SR 48 to the GCPR made commensurate increases in the ceiling prices for zinc scrap, lead scrap, and remelt zinc.

This revision of Supplementary Regulation 70 continues the previous provisions of that regulation and in addition increases by two cents per pound of lead and zinc content the ceiling prices previously established by the General Ceiling Price Regulation for domestic lead and zinc ores and concentrates and other domestic lead or zinc-bearing materials (such as drosses, residues, skimmings, etc.). It does not apply to zinc scrap covered by Ceiling Price Regulation 43, lead scrap covered by Ceiling Price Regulation 53 or remelt zinc covered by Supplementary Regulation 48 to the General Ceiling Price Regulation.

The lead and zinc mines whose ceilings are increased by this action are important potential sources of increased supplies of these scarce raw materials. Consequently, the incentive price action announced last October should have applied to the ores and concentrates as well as to primary and scrap lead and zinc if its objectives were to be fully realized. Moreover, lead and zinc ores and concentrates and other lead and zinc-bearing materials are customarily purchased by smelters, refiners and others under contracts wherein the price for the lead and zinc content is determined by the price for domestic primary lead and slab zinc. These facts, plus certain ambiguities in the October 2 announcement, lead to a widespread belief in the industry that the two cents per pound increase in ceilings then authorized was also applicable to the ores and concentrates.

Under these circumstances, the Director believes that an increase in the ceiling prices of lead and zinc ores and concentrates should be allowed as an integral part of the incentive price program for these materials and that the increase should be made applicable to all deliveries made on or after October 2, 1951. In this particular case, such action is feasible because of the common practice in this industry of not making payment for lead and zinc ores and concentrates until some time after delivery.

In the opinion of the Director of Price Stabilization, the provisions of this revised supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability. In the judgment of the Director, the ceiling prices established in this regulation for domestic lead and zinc ores and concentrates and other domestic lead and zinc-bearing materials meet the requirements of the Defense Production Act of 1950, as amended.

Prior to the promulgation of this regulation the Director consulted with industry representatives to the extent practicable and their recommendations have been considered.

REGULATORY PROVISIONS

Sec.
1. What this revised supplementary regulation does.
2. Ceiling Price adjustments.
3. Definitions.
4. Incorporation of GCPR provision.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this revised supplementary regulation does.* This revised supplementary regulation increases the ceiling prices established by the General Ceiling Price Regulation for domestic slab zinc, domestic primary lead, domestic lead and zinc ores and concentrates, and other domestic lead and zinc-bearing materials. This revised supplementary regulation does not apply to zinc scrap covered by Ceiling Price Regulation 43, lead scrap materials covered by Ceiling Price Regulation 53, or remelt zinc covered by Supplementary Regulation 48 to the GCPR.

SEC. 2. *Ceiling price adjustments—*(a) *Domestic slab zinc and primary lead.* Your ceiling price for domestic slab zinc or domestic primary lead is your ceiling price determined in accordance with the General Ceiling Price Regulation plus 2 cents per pound.

(b) *Domestic lead and zinc ores, concentrates and other lead and zinc-bearing materials.* Your ceiling price for domestic lead and zinc ores and concentrates or other lead and zinc-bearing materials is your ceiling price determined in accordance with the GCPR plus two cents per pound for the lead content and two cents per pound for the zinc content.

SEC. 3. *Definitions.* When used in this regulation the term:

(a) "Domestic primary lead" includes (1) lead produced in the United States or its Territories or Possessions in the form of pigs, ingots, or other shapes and which is made from ores, concentrates or bullion even though other lead bearing material is mixed with such ores, concentrates, or bullion, provided such other material accounts for 50 percent or less of the lead content thereof; and (2) lead produced in the United States or its Territories or Possessions in the form of pigs, ingots, or other shapes and which is made from lead described in (1), even though other lead-bearing material is mixed therewith, provided that such other material accounts for 50 percent or less of the lead content thereof.

(b) "Domestic slab zinc" means zinc in the form of standard producer's slabs produced in the United States or its Territories or Possessions from ores, concentrates, or other zinc-bearing materials (other than scrap).

(c) "Domestic lead and zinc ores and concentrates" means any natural or semi-refined materials containing lead or zinc, or both lead and zinc, and which are produced in the continental United States or Alaska, Hawaii, Guam, Puerto Rico, or the Virgin Islands.

(d) "Other domestic lead or zinc-bearing materials" includes residues, skimmings, ashes, fumes, flue dust, sludges, slags, and similar materials containing lead or zinc, or both lead and zinc produced in the continental United States or Alaska, Hawaii, Guam, Puerto Rico, or the Virgin Islands. The term does not include zinc scrap covered by Ceiling Price Regulation 43, lead scrap covered by Ceiling Price Regulation 53, or remelt zinc covered by Supplementary Regulation 48 to the General Ceiling Price Regulation.

SEC. 4. *Incorporation of GCPR provision.* Any person subject to this supplementary regulation is also subject to all provisions of the General Ceiling Price Regulation not inconsistent with the provisions of this regulation.

Effective date. This regulation shall be effective as of October 2, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

[F. R. Doc. 52-1107; Filed, Jan. 24, 1952; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[Interpretation 1, Amendment 1]

INT. 1—EXEMPTION FROM SALARY STABILIZATION OF CERTAIN PHYSICIANS AND ATTORNEYS

STATEMENT OF CONSIDERATIONS

Interpretation 1 was issued to define the scope of the exemption from salary stabilization granted to physicians and lawyers under certain circumstances by section 402 (e) (ii) of the Defense Production Act of 1950, as amended. This amendment is intended to clarify the definition of the term "physicians" under the statute.

AMENDATORY PROVISIONS

Section 1 (b) is amended to read as follows:

(b) *Physicians.* A physician must possess a license to practice medicine, granted by the jurisdiction where he is employed in a professional capacity, in the branch of the medical profession in the practice of which he is engaged. The exception does not extend to the salaries and other compensation of employees engaged in the auxiliary branches of the medical profession, such as employed pharmacists, nurses, optometrists or dental technicians. A chiropractor is not considered a physician unless recognized under the laws of the United States or any state or territory thereof as a physician and duly licensed under such law to practice medicine in the jurisdiction where he is employed in a professional capacity. On the other hand, dentists are considered physicians.

Employed osteopaths and chiropodists (podiatrists) are exempt only when licensed under state law to practice their particular specialties.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

Approved: January 23, 1952.

JOSEPH D. COOPER,
Executive Director,
Office of Salary Stabilization.

[F. R. Doc. 52–1019; Filed, Jan. 24, 1952; 8:51 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M–2, Interpretation 1 of January 23, 1952]

M–2—RUBBER

INT. 1—PRIVATE IMPORTATION OF NATURAL RUBBER CREPE SOLES

1. This is an interpretation of section 4 of NPA Order M–2, which prohibits the private importation of natural rubber as defined in section 3 (a) of that order, except as specifically authorized in writing by the Administrator of General Services.

2. Crepe rubber is one of the dry forms and types of tree, vine, or shrub rubber, and is therefore natural rubber.

3. The mere cutting of natural rubber crepe in the form and shape of a shoe sole does not so substantially alter its character as to remove it from the category of natural rubber. A natural rubber crepe sole which has not been compounded, vulcanized, or attached to a shoe is still natural rubber.

4. The importation of such natural rubber crepe soles is therefore prohibited under the provisions of section 4 of NPA Order M–2 as amended December 14, 1951.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Issued January 23, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52–1035; Filed, Jan. 23, 1952; 1:54 p. m.]

[NPA Order M–5 as amended January 23, 1952]

M–5—ALUMINUM

This amended order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M–5 as last amended July 6, 1951, is amended in its entirety. Directions 1, 2, and 3 previously issued, are revoked; the title of NPA Order M–5 is changed to "Aluminum" instead of "Rated Orders for Aluminum". As amended, NPA Order M–5 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Revocation of directions heretofore issued.
4. Relation to other NPA orders and regulations.
5. Assignment and use of AM numbers.
6. Production of aluminum.
7. How production schedules are authorized.
8. Production material requirements of producers of aluminum.
9. Prohibition on shipment.
10. Restrictions on toll agreements.
11. Opening of books.
12. Acceptance of orders.
13. Reports on Form NPAF–167.
14. NPA assistance in placing orders.
15. Reports on Form NPAF–122.
16. Request for adjustment or exception.
17. Communications.
18. Records and reports.
19. Violations.

AUTHORITY: Sections 1 to 19 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* This order applies to primary producers, secondary smelters, independent fabricators, and importers of aluminum. It provides rules concerning the scheduling of production and shipment of aluminum. It sets forth the procedure by which aluminum producers receive the controlled materials which they require as production materials. The order authorizes the production of aluminum only in accordance with an authorized production schedule or production directive, and permits the production, shipment, or delivery of aluminum only when such production, shipment, or delivery is to fill an authorized controlled material order or is pursuant to an NPA directive. It also sets forth circumstances wherein an aluminum producer may reject an authorized controlled material order. It supplements the CMP regulations and supersedes the provisions of those regulations to the extent that they may be inconsistent with the provisions of this order as amended. The order also provides for the issuance of directives to primary producers, secondary smelters, independent fabricators, distributors, and importers.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "NPA" means the National Production Authority.

(c) "Aluminum" means only the following aluminum forms and shapes:

Rolled bar, rod, wire (including drawn wire), structural shapes.
Aluminum cable steel reinforced (ACSR) and bare aluminum cable.
Insulated or covered wire or cable.
Extruded bar, rod, shapes, tubing (including drawn or welded tubing).
Sheet, strip, plate, foil.
Powder (atomized or flake, including paste).
Pig or ingot, granular or shot.

(d) "Pig" means aluminum of variable composition produced by the electrolytic reduction of alumina.

(e) "Pig or ingot, secondary" means any aluminum produced by a secondary smelter; or pig or ingot, granular or shot, produced by a primary producer in a secondary smelter operation.

(f) "Primary producer" means a person producing aluminum both in the form of pig and in any one or more of the other forms or shapes listed in paragraph (c) of this section.

(g) "Secondary smelter" means any person who remelts virgin metal or scrap to produce properly alloyed, refined, chemically tested, specification casting ingot, or deoxidizing or granular aluminum, and who has the equipment and technical knowledge necessary to perform this function without down-grading or waste; and includes a primary producer to the extent that he performs such function.

(h) "Independent fabricator" means any person (except a secondary smelter) who does not produce aluminum pig, but who produces aluminum for sale in any of the other forms and shapes listed in paragraph (c) of this section.

(i) "Importer" means a person who imports aluminum in the forms and shapes listed in paragraph (c) of this section either for his own account or for the account of another person.

(j) "Production directive" means a directive issued by NPA authorizing a primary producer, a secondary smelter, or an independent fabricator to produce during a designated period a specified quantity of any one or more of the aluminum forms and shapes listed in paragraph (c) of this section.

(k) "Authorized controlled material order" means a delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment, as provided in section 19 of CMP Regulation No. 1, or which is specifically designated to be such by any other regulation or order of NPA.

(l) "AM number" means the allotment symbol AM, together with the number which is assigned by NPA, which is used by persons who produce, smelt, fabricate, or distribute aluminum in placing authorized controlled material orders for aluminum in accordance with the provisions of this order and of NPA Order M–88.

SEC. 3. *Revocation of directions heretofore issued.* Directions 1, 2, and 3 to NPA Order M–5, issued prior to the effective date of this order as amended, are being revoked concurrently with the issuance of this amended order. The revocation of these directions does not, however, relieve any person of any obligation or liability incurred under Directions 1, 2, and 3 to NPA Order M–5

heretofore issued, nor deprive any person of any rights received or accrued under said directions prior to the effective date of such revocation.

SEC. 4. *Relation to other NPA orders and regulations.* All provisions of any NPA regulation or order are superseded to the extent that such provisions are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

SEC. 5. *Assignment and use of AM numbers.* AM numbers are assigned by NPA, upon application in writing, to primary producers, secondary smelters, and independent fabricators of aluminum, and are used to identify authorized controlled material orders for aluminum placed by such persons. (NPA Order M-88 describes the assignment and use of AM numbers by distributors of aluminum.)

SEC. 6. *Production of aluminum.* (a) No person shall, in any calendar quarter, produce any aluminum unless such production is pursuant to an authorized production schedule or directive previously issued in writing by NPA for the production of such materials in that calendar quarter.

(b) After the effective date of this order, no producer of aluminum shall place into production any order for the delivery of aluminum, unless such order is an authorized controlled material order, or an order which he has accepted or scheduled pursuant to specific directive or written authorization by NPA.

(c) No aluminum producer, secondary smelter, or independent fabricator shall be required to accept any authorized controlled material order for less than the mill quantities set forth in Schedule IV of CMP Regulation No. 1 or which is placed within less time than the "lead time" specified in Schedule III of CMP Regulation No. 1.

SEC. 7. *How production schedules are authorized.* (a) Every primary producer, secondary smelter, and independent fabricator shall, on or before January 15, 1952, complete and file with NPA on Form NPAF-149, an application for an authorized production schedule for the second calendar quarter of 1952. (This was required by letter CMPL-299, dated December 11, 1951.) For each subsequent calendar quarter the application for an authorized production schedule shall be made by the completion and filing of Form NPAF-149 on or before the fifteenth day of the first month of the calendar quarter preceding the calendar quarter for which the application is made. An original and three copies of Form NPAF-149, which may be secured from the Washington, D. C., office of NPA only, shall in each instance be completed and filed with the National Production Authority, Washington 25, D. C., Ref: M-5.

(b) Each person who is required by paragraph (a) of this section to file Form NPAF-149 will enter thereon, for each form and shape of aluminum listed, his proposed production schedule and, if applicable, the aluminum production materials which he requires to fulfill the proposed production schedule in accordance with the instructions accompanying the form. NPA, after review of the Form NPAF-149, will set forth on a copy thereof, which will be returned to the applicant, the approved production schedule for each form or shape listed, and the quantity of aluminum production materials which are allotted for such production. Such production schedules and related allotments may be made on a quarterly or monthly basis, or at such other intervals as NPA may from time to time deem appropriate.

(c) In addition to the procedure outlined in paragraph (b) of this section for the authorization of production schedules for producers of aluminum, NPA may from time to time issue production directives and related allotments to producers of aluminum which by their terms may amend, suspend, or supersede the authorized production schedules issued on Form NPAF-149. These production directives and related allotments may be issued on either a monthly or quarterly basis and may concern the production of any or all of the forms or shapes of aluminum. In each instance in which such a production directive and related allotment is issued it will by its terms define the relationship of the directive to the authorized production schedule issued or to be issued.

SEC. 8. *Production material requirements of producers of aluminum.* (a) A producer of aluminum may order the aluminum production materials allotted to him on Form NPAF-149 or by directive, in accordance with the provisions of section 19 of CMP Regulation No. 1. In ordering such materials he shall use the allotment symbol AM together with his AM number.

(b) A producer of aluminum who requires steel controlled materials or aluminum cores for packaging aluminum foil as production materials (as defined in section 21 of CMP Regulation No. 1) for use in the fulfillment of his authorized production schedule, is hereby authorized to use the allotment symbol PM to obtain such production materials: *Provided, however,* That no person who produces aluminum cable steel reinforced (ACSR) shall use the allotment symbol PM to obtain in any calendar quarter for his production of that material a greater quantity of steel by weight than 37 percent of the gross metal weight of the aluminum cable steel reinforced (ACSR) that he is to produce in that calendar quarter pursuant to his authorized production schedule.

(c) All orders for which the use of the allotment symbols AM or PM are authorized by this section are hereby designated as authorized controlled material orders, and shall be certified in accordance with the provisions of section 19 (c) of CMP Regulation No. 1. The certification of such orders shall be signed as provided in NPA Reg. 2, and shall constitute a representation that, subject to the criminal penalties provided for in the United States Code, Title 18 (Crimes) section 1001, such person is authorized by this section to make the certification for the quantity of steel or aluminum ordered in connection therewith.

(d) The self-authorization procedure by which a producer of aluminum obtains production materials (other than controlled materials) is described in Direction 2 to CMP Regulation No. 1.

SEC. 9. *Prohibition on shipment.* Except as provided in NPA Order M-28 and NPA Order M-89, no primary producer, secondary smelter, independent fabricator, distributor, or importer shall accept any orders for aluminum or ship any aluminum except pursuant to a valid authorized controlled material order, or pursuant to a directive by NPA.

SEC. 10. *Restrictions on toll agreements.* Except for those materials which were received by a producer of aluminum before January 15, 1952, no aluminum shall be delivered or received pursuant to any existing or future toll, conversion, or repurchase agreement, or any similar arrangement, without the prior written approval of NPA.

SEC. 11. *Opening of books.* Each producer of aluminum shall open his order books for the purpose of accepting authorized controlled material orders no later than 105 days prior to the first day of each calendar quarter for which such orders are valid. An aluminum producer may open his order books for the purpose of accepting purchase orders for any calendar quarter as long in advance of such quarter as he may choose, but after his order books are open he shall accept orders as provided in section 12 of this order.

SEC. 12. *Acceptance of orders.* (a) Until 75 days prior to the first day of the month in which delivery is requested, and subject to the provisions of paragraph (b) of this section, a producer of aluminum shall have the option of determining which authorized controlled material orders or portions thereof he will accept and schedule without regard to the dates of receipt of such orders: *Provided, however,* That the total of the orders which he accepts for any aluminum product does not exceed 85 percent of the level of production he has scheduled for such product for the month in which delivery is requested in order to complete his authorized production schedule or to comply with the production directive he received from NPA. In the event that such a person has not received either an authorized production schedule or a production directive for any month for which he received an authorized controlled materials order requesting delivery, he shall compute the foregoing 85 percent limitation on the acceptance of orders on the following basis: (1) A primary producer shall assume an authorized production schedule or production directive requiring the same production as was directed for the previous quarter, and therefore schedule his monthly production so as to meet such a quarterly production level. (2) A secondary smelter shall assume his maximum production from the production materials he expects to have available. (3) An independent fabricator shall assume that the same quantity of aluminum will be allocated to him as was allocated to him in the previous quarter.

(b) During the period of time in which a producer of aluminum may reject orders in accordance with paragraph (a) of this section, and until such time as he has accepted orders up to the 85 percent maximum limitation contained in paragraph (a) of this section, he may not reject any order bearing the allotment symbol A, B, C, E, AM, or Z-2 which has been offered to him; and shall comply with all NPA directives which have been issued to him.

(c) An aluminum producer shall accept or reject and return all purchase orders tendered to him promptly after receipt of such orders. Upon such acceptance or rejection he shall immediately notify the person who tendered the same of such acceptance or rejection in writing or by telegram. For the purpose of the first sentence of this section the word "promptly" shall be deemed to mean as quickly as possible, but in no event later than 13 consecutive calendar days after receipt. For the purpose of the first sentence of this paragraph receipt of an order shall not be deemed to have occurred until the order is received at the place where the producer usually acknowledges and schedules such orders. This provision is intended to give those persons whose orders have been rejected an opportunity to place their orders with other producers or with distributors.

(d) Within the period of 75 to 60 days prior to the first day of the month in which delivery is requested, and subject to the provisions of paragraph (g) of this section, each producer of aluminum shall accept all authorized controlled material orders offered to him (subject to the provisions of CMP Regulation No. 3) until he has thereby committed 100 percent of the proposed production necessary to fulfill his authorized production schedule or production directive. This requirement is subject to the provisions of section 20 of CMP Regulation No. 1.

(e) At such time as an aluminum producer has fully complied with the provisions of paragraph (d) of this section he shall not accept any additional orders unless he is specifically directed to do so by NPA.

(f) The percentages referred to in paragraphs (a), (b), and (d) of this section shall be calculated by each aluminum producer for each calendar quarter on the basis of the authorized production schedule and production directives issued to him for that calendar quarter regardless of the quantities of aluminum he expects to produce or ship in that quarter to fill orders carried over from a previous calendar quarter.

(g) No primary producer shall accept any order for "pig or ingot, other than secondary" to be used for any purpose for which "pig or ingot, secondary" is suitable.

SEC. 13. *Reports on Form NPAF-167.* Each primary producer, secondary smelter, and independent fabricator of aluminum shall, on or before the fifteenth day of each month, complete and file Form NPAF-167, in accordance with the instructions accompanying the form, setting forth the quantity of aluminum for which he has accepted authorized controlled material orders, the quantity of aluminum for which he has not yet accepted such orders, and the estimated quantity of aluminum he expects to ship against past due unfilled orders. These forms may be secured from the Washington office of NPA and shall in each instance be completed and filed in duplicate with the Bureau of the Census, Industry Division, Washington 25, D. C. A separate report is required for each of the aluminum forms and shapes listed in section 2 (c) of this order.

SEC. 14. *NPA assistance in placing orders.* Any person who is entitled to place an authorized controlled material order for aluminum and who has been unable to place any such order may apply to NPA for assistance in placing such orders. Application should be made on Form NPAF-148. These forms may be obtained from Department of Commerce field offices, NPA industry divisions, or the Office of Small Business of NPA. The form, which provides space for the applicant's name and address, the allotment symbol he is authorized to use, his allotment record, his previous purchase record, his experience in attempting to place orders, and other pertinent data, shall be filled out completely and mailed to the National Production Authority, Washington 25, D. C., Ref: M-5.

SEC. 15. *Reports on Form NPAF-122.* (a) Each primary producer, secondary smelter, independent fabricator, or importer, who sells aluminum in the regular course of business, shall each month complete and file Form NPAF-122 in accordance with the instructions accompanying the form. The form shall be completed in duplicate and filed on or before the tenth day of each month by mailing to the Bureau of the Census, Industry Division, Washington 25, D. C., Ref: NPA Order M-5.

(b) Any other person who in any month receives for resale or sells any aluminum shall file Form NPAF-122 for that month in accordance with the instructions accompanying that form.

SEC. 16. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 17. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-5.

SEC. 18. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such other reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 19. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect January 23, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-1037; Filed, Jan. 23, 1952; 1:54 p. m]

[NPA Order M-5, Directions 1, 2, and 3—Revocation]

M-5—RATED ORDERS FOR ALUMINUM

DIR. 1—ORDER ACCEPTANCE

DIR. 2—RESERVATION OF FOURTH QUARTER PRODUCTION

DIR. 3—SHIPMENTS ON AND AFTER OCTOBER 1, 1951

Directions 1 (16 F. R. 9087, 12511), 2 (16 F. R. 9723), and 3 (16 F. R. 10083) to NPA Order M-5 are hereby revoked.

The revocation of these directions to NPA Order M-5 does not relieve any person of any obligation or liability incurred thereunder, nor deprive any person of any rights received or accrued under said directions prior to the effective date of their revocation, except as such directions are limited by NPA Order M-5 as amended January 23, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This revocation is effective January 23, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-1036; Filed, Jan. 23, 1952; 1:54 p. m.]

[NPA Order M-11, as Amended January 23, 1952]

M-11—COPPER AND COPPER-BASE ALLOYS

This order, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by the Defense Production Act of 1950, as amended. In the formulation of this order, as originally issued, and in the formulation of certain of its amendments, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. In the formulation of this amendment, however, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

NPA Order M-11, as hereby amended, has been completely rewritten and there have been incorporated herein those provisions of Directions 2, 3, and 4 to NPA Order M-11 which are pertinent and necessary. These directions are being revoked concurrently with the issuance of this order. As amended, NPA Order M-11 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Opening of books.
4. Acceptance of orders.
5. Rejection of authorized controlled material orders.
6. Prohibition on shipment.
7. Limitations on acceptance of orders.
8. Authorization and directives.
9. Relation to other NPA orders and regulations.
10. Records and reports.
11. Request for adjustment or exception.
12. Communications.
13. Violations.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* (a) This order applies particularly to producers, sellers, and owners of unalloyed copper and copper-base alloy ingot, and to producers of brass mill products, copper wire mill products, powder mill products, foundry copper products, and foundry copper-base alloy products. It provides rules for placing, accepting, and scheduling orders for copper controlled materials, and places limitations on the acceptance of orders for copper raw materials and the required acceptance of orders by a copper controlled material producer from another such producer. The purpose is to make possible the maximum production of copper and copper-base alloy controlled materials by reducing to a minimum the disruption of normal distribution. It supplements CMP Regulations Nos. 1, 3, and 4, but only those provisions of such regulations which are inconsistent with this order are superseded and all the other provisions of those regulations continue to apply to the copper industry.

(b) Certain directions to this order, namely Directions 2, 3, and 4, are being revoked concurrently with the issuance of this order. Such revocation will not relieve any person of any obligation or liability incurred thereunder, nor deprive any person of any rights received or accrued thereunder prior to the effective date of such revocation.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "NPA" means the National Production Authority.

(c) "Copper controlled material" means brass mill products, copper wire mill products, powder mill products, or foundry copper products or copper-base alloy products, as defined in this order.

(d) "Copper controlled material producer" means any person who produces a copper controlled material.

(e) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in section 19 of CMP Regulation No. 1, or which is specifically designated to be such an order by any regulation or order of NPA.

(f) "Unalloyed copper" means electrolytic copper, fire-refined copper, and all unalloyed copper in any form, including scrap.

(g) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal equals or exceeds 40 percent by weight of the metallic content of the alloy. It includes fired or demilitarized cartridge cases and artillery cases and all copper-base alloy in any form, including scrap. It does not include alloyed gold produced in accordance with U. S. Commercial Standard CS67-38.

(h) "Brass mill products" means copper and copper-base alloys in the following forms: sheet, plate, and strip in flat lengths or coils; rod, bar, shapes, and wire, except copper wire mill products; anodes, rolled, forged, or sheared from cathodes; and seamless tube and pipe. Straightening, threading, chamfering and cutting to width and length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.
Discs.
Cups.
Blanks and segments.
Forgings (except anodes).
Welding rod, 3 feet or less in length.
Rotating bands.
Tube and nipples—welded, brazed, or mechanically seamed.

(i) "Copper wire mill products" means uninsulated or insulated wire and cable, whatever the outer protective coverings may be, made from copper or copper-base alloy, and also copper-clad steel wire containing over 20 percent copper by weight regardless of end use. All copper wire mill products should be measured in terms of pounds of copper content.

(j) "Powder mill products" means copper or copper-base alloy in the form of granular or flake powder.

(k) "Foundry copper products and copper-base alloy products" means cast copper and copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, and dipping, but does not include any further machining or processing. For centrifugal casting the process includes the removal of the rough cut in the inner or outer diameter, or both, before delivery to a customer. Castings include anodes cast in a foundry or by an ingot maker.)

SEC. 3. *Opening of books.* Each copper controlled material producer shall open his order books for the purpose of accepting purchase orders for the second calendar quarter of 1952 and each calendar quarter thereafter not later than 90 days prior to the first day of the quarter. A copper controlled material producer may open his order books for the purpose of accepting purchase orders for any calendar quarter as long in advance of such quarter as he may choose, but when his order books are open, he shall accept orders as provided in section 4 of this order.

SEC. 4. *Acceptance of orders.* (a) A copper controlled material producer shall accept only authorized controlled material orders and orders which he is required to accept pursuant to NPA directives. A copper controlled material producer shall schedule the order for shipment within the requested month or as close to the required shipment date as is practicable considering the need for maximum production. If he does not accept and schedule the order for shipment within the requested month or a subsequent month in the same calendar quarter, he shall reject and return the order as provided in section 5 (b) of this order.

(b) A copper controlled material producer shall accept authorized controlled

material orders until his order books are filled for a particular month, and pursuant to and in accordance with appropriate NPA orders, regulations, or production directives. However, each copper controlled material producer shall have the option of determining which authorized controlled material orders, or portions thereof, he will accept and schedule for delivery without regard to dates of receipt of such orders: *Provided, however,* That to the extent that a copper controlled material producer is required to fill authorized controlled material orders bearing allotment symbol A, B, C, or E, followed by a digit, or Z–2, out of his authorized production of the product involved, no copper controlled material producer shall reject any authorized controlled material orders bearing allotment symbol A, B, C, or E, followed by a digit, or Z–2, unless his order books are filled for a particular month.

(c) Within the 15-day period immediately preceding the expiration of lead time, a copper controlled material producer shall accept and schedule for production all authorized controlled material orders offered to him until his order books for a particular product are filled for that product. During such 15-day period such orders shall be scheduled for production with precedence given to the orders received first.

(d) A copper controlled material producer's books shall be deemed filled for a particular month when he has accepted orders up to the total quantity of his authorized production of the product involved for that month, or up to his scheduled production of the product if no production is specifically authorized.

SEC. 5. *Rejection of authorized controlled material orders.* (a) Producers of copper controlled materials need not accept an authorized controlled material order which is received less than the number of days prior to the first day of the month in which shipment is requested, as set forth in Schedule III of CMP Regulation No. 1, or for less than the minimum mill quantities set forth in Schedule IV of CMP Regulation No. 1, unless specifically directed to accept the order by NPA.

(b) A copper controlled material producer shall accept or reject and return all purchase orders tendered to him promptly after receipt of such orders. Upon such acceptance or rejection he shall immediately notify the person who tendered the same of such acceptance or rejection in writing or by telegram. For the purpose of the first sentence of this section the word "promptly" shall be deemed to mean as quickly as possible, but in no event later than 13 consecutive calendar days after receipt. For the purpose of the first sentence of this paragraph receipt of an order shall not be deemed to have occurred until the order is received at the place where the producer usually acknowledges and schedules such orders. This provision is intended to give those persons whose orders have been rejected an opportunity to place their orders with other producers or with distributors.

SEC. 6. *Prohibition on shipment.* No copper controlled material producer shall ship any copper controlled material except on an authorized controlled material order or a specific written authorization or directive of NPA.

SEC. 7. *Limitations on acceptance of orders.* (a) No producer, seller, or owner of copper raw materials shall accept orders for such material from any person other than a person of the class permitted to receive it without written authorization, unless such person shall have a written authorization from NPA and shall so certify pursuant to the provisions of NPA Order M–16. Copper raw materials, as defined in NPA Order M–16, are not deliverable on authorized controlled material orders.

(b) No copper controlled material producer shall be required to accept authorized controlled material orders from any other copper controlled material producer.

SEC. 8. *Authorization and directives.* NPA may issue authorizations or directives from time to time with respect to the production and delivery of copper and copper-base alloy controlled materials.

SEC. 9. *Relation to other NPA orders and regulations.* All provisions of any NPA regulation or order are superseded to the extent that they are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of NPA, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 11. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 12. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–11.

SEC. 13. *Violations.* Any person who wilfully violates any provision of this order, or any other or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order, as amended, shall take effect January 23, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52–1039; Filed, Jan. 23, 1952; 1:55 p. m.]

[NPA Order M–11, Directions 2, 3, and 4; Revocation]

M–11—COPPER AND COPPER-BASE ALLOYS

DIR. 2—ORDER ACCEPTANCE

DIR. 3—RESERVATION OF FOURTH QUARTER PRODUCTION

DIR. 4—PRODUCTION AND SHIPMENT TO FILL ORDERS CALLING FOR DELIVERY AFTER OCTOBER 1, 1951

Directions 2 (16 F. R. 11273, 12511), 3 (16 F. R. 9724), and 4 (16 F. R. 8984) to NPA Order M–11 are hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Directions 2, 3, or 4 to NPA Order M–11, as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said directions as originally issued, or as amended from time to time, prior to the effective date of this revocation.

The provisions of said directions still applicable have been incorporated in NPA Order M–11 as amended.

This revocation is effective January 23, 1952.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-1038; Filed, Jan. 23, 1952; 1:56 p. m.]

[NPA Order M-11, Direction 5 of January 23, 1952]

M-11—COPPER AND COPPER-BASE ALLOYS

DIRECTION 5—PROCEDURE FOR DISTRIBUTORS TO OBTAIN POWDER MILL PRODUCTS AND FOUNDRY COPPER AND COPPER-BASE ALLOY PRODUCTS

This direction under NPA Order M-11 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Definitions.
3. Certified orders and authorization therefor.
4. Form of certification.
5. Effect of certified orders.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this direction does.* The purpose of this direction is to provide a program for the maintenance of reasonable inventories by distributors of powder mill products and foundry copper and copper-base alloy products. It describes how deliveries of such products from inventory to fill authorized controlled material orders may be replaced by distributors, and it authorizes distributors to place certified orders within certain limitations.

SEC. 2. *Definitions.* As used in this direction:

(a) "Distributor" means any person (including a warehouseman or jobber, but not a retailer) engaged in the business of stocking powder mill products or foundry copper and copper-base alloy products received from a powder mill, a foundry, or another distributor, at a location regularly maintained by him for such purpose for sale or resale in the form or shape as received, who in connection therewith maintains facilities and equipment necessary to conduct such business.

(b) "Powder mill" means any person who produces powder mill products.

(c) "Foundry" means any person who produces foundry copper or copper-base alloy products.

SEC. 3. *Certified orders and authorization therefor.* Commencing January 23, 1952, any distributor who, during any calendar month, has delivered powder mill products or foundry copper and copper-base alloy products from his inventory to fill authorized controlled material orders placed with him, may place certified orders pursuant to this direction during the succeeding calendar month with a powder mill, foundry, or another distributor, for replacement in his inventory of an equal quantity by weight of powder mill products or an equal quantity by weight of foundry copper and copper-base alloy products. Certified orders placed under this direction shall be for substantially the same products as were delivered by the distributor during the preceding calendar month to fill authorized controlled material orders, except for minor variations in size or design.

SEC. 4. *Form of certification.* In order to place a certified order under this direction, a distributor shall place the following certification on his purchase order or on a separate piece of paper attached thereto:

Certified under Direction 5 to NPA Order M-11

This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place a certified order under the provisions of this direction to obtain the materials covered by the delivery order. The certification shall be signed as provided in NPA Reg. 2.

SEC. 5. *Effect of certified orders.* Orders certified under this direction are hereby designated authorized controlled material orders pursuant to section 2 (q) of CMP Regulation No. 1, and shall have equal preferential status with other authorized controlled material orders. Such orders shall be subject to the limitations with regard to lead time and minimum quantities set forth in Schedules III and IV of CMP Regulation No. 1.

This direction shall take effect January 23, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-1040; Filed, Jan. 23, 1952; 1:56 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 17—MEDICAL

TYPES, FITTING AND TRAINING, AND ELIGIBILITY TO APPLIANCES AND REPAIRS THERETO; RETIRED PERSONNEL

1. In § 17.115 (d), subparagraph (4) is amended to read as follows:

§ 17.115 *Types, fitting and training, and eligibility to appliances and repairs thereto.* * * *

(d) * * *

(4) Persons pursuing a course of training under Public Law 16, 78th Congress, as amended, or Public Law 894, 81st Congress, as amended, when medically determined as essential to prevent interruption of such training.

* * * * *

2. In § 17.116, paragraph (a) is amended to read as follows:

§ 17.116 *Retired personnel.* (a) (1) Pursuant to the provisions of Public Law 308, 78th Congress, approved May 23, 1944, an artificial limb or other appliance will be supplied or repaired, when medically determined necessary, for any officer or enlisted man retired from active military or naval service who had lost a limb or the use thereof through injury or disease incurred or contracted in line of duty in the military or naval service at any time.

(2) No commutation in lieu of such artificial limb or other appliance will be payable on or after May 23, 1944.

(3) "Other appliance" will be taken to mean any appliance which is medically determined necessary to replace, support, or substitute for, a missing limb or an anatomical part thereof such as a hand or a foot; or to support a limb or an anatomical part thereof so deformed or weakened as to constitute loss of use. The term will include stump socks, braces, orthopedic shoes, wheel chairs, crutches, and such other appliances as approved by the Chief Medical Director or his designate.

(4) "Lost the use thereof" will be taken to mean the loss of use of a limb or an anatomical part thereof so as to preclude normal use of the affected part without the aid of an appliance. Whether or not a retired person applying for benefits under this section has lost the normal use of a limb or an anatomical part thereof is a matter for determination by the examining physician.

(5) Such artificial limbs or other appliances, or repairs thereto, will be supplied at field stations in accordance with the general procedure pertaining to the furnishing of such items for treatment of a service-connected disability.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 1, 6, 48 Stat. 9, 301, 53 Stat. 652, as amended; 38, U. S. C. 706, 706a)

This regulation effective January 25, 1952.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 52-977; Filed, Jan. 24, 1952; 8:49 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 52—GRANTS FOR CANCER CONTROL PROGRAMS

Sec.
52.1 Definitions.
52.2 Basis of allotments.
52.3 Allotments; time of making; duration.
52.4 State plans; mode of submittal.
52.5 State plans; contents.
52.6 State plans; time of submittal and approval.

AUTHORITY: §§ 52.1 to 52.18 issued under sec. 215, 58 Stat. 690; 42 U. S. C. 216. Interpret or apply sec. 402, 58 Stat. 707; 42 U. S. C. 282.

§ 52.1 *Definitions.* As used in this part:

(a) "Act" means the Public Health Service Act approved July 1, 1944, 58 Stat. 682, as amended.

(b) "Allotment" means funds allotted to a State on the basis of the formula prescribed in the regulations of this part and to be expended under plans submitted by the State health authority. (Sections 52.2 to 52.14, relate to allotted funds.)

(c) "Exception" means the amount of Federal funds expended contrary to this part or the State plan.

(d) "Federal funds" means funds appropriated by Congress for carrying out the purposes of title IV of the act.

(e) "Extent of cancer problem" means the ratio which the averaged annual number of deaths from cancer in each State bears to the total average annual cancer mortality in the United States. In computing mortality, the number of deaths from cancer for the most recent consecutive five years for which data are available on January 1 preceding the fiscal year for which Federal funds are appropriated shall be used.

(f) "Financial need" as applied to any State means the relative per capita income as shown by data supplied by the Bureau of Foreign and Domestic Commerce for the most recent five-year period available on January 1 preceding the fiscal year for which Federal funds are appropriated.

(g) "Grantee" includes any State agency administering a cancer program and any university, hospital, laboratory, institution, or professional nonprofit organization whether public or private dealing with the cancer problem which receives a grant of Federal funds under the regulations in this part.

(h) "Official forms" means forms and instructions supplied by the Public Health Service to the State health authority for use in the submittal of State plans or information required with respect to the operation of such plans.

(i) "Political subdivision" includes counties, health districts, municipalities, and other subdivisions of the State established for governmental purposes.

(j) "Population" as applied to any State or political subdivision means the most recent official estimates of the Bureau of the Census available on January 1 preceding the fiscal year for which Federal funds are appropriated.

(k) "Program" means the activities and services planned for the prevention, control, and eradication of cancer.

(l) "Project grant" means funds allotted to a grantee for carrying out specific programs of a noncontinuing nature, relating to the prevention, control, and eradication of cancer, including training. (Sections 52.15 to 52.18 relate specifically to projects.)

(m) "Public Health Service" means the Public Health Service in the Federal Security Agency.

(n) "State" includes any State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

(o) "State health authority" means the official State agency administering the State health program.

(p) "State plan" refers to the information and proposals, including budgets, submitted by the State health authority pursuant to the regulations in this part for activities of the States and political subdivisions thereof for the prevention, control, and eradication of cancer.

§ 52.2 *Basis of allotments.* Of the total sum determined by the Surgeon General to be available for each fiscal year for grants to States on a formula basis, allotments to the several States shall be as follows:

Sixty percent on the basis of population weighted by financial need.

Thirty-five percent on the basis of the extent of the cancer problem.

Five percent on the basis of relative population density.

§ 52.3 *Allotments; time of making; duration.* (a) Allotments for the first six months of any fiscal year shall be made prior to the beginning of such fiscal year or as soon thereafter as practicable, and shall equal not less than 60 percent nor more than 70 percent of the total sum determined to be available for allotment. At the end of the second quarter, the amounts of allotments for the first six-month period which have not been certified for payment to the respective States pursuant to § 52.7 shall become available for allotment among the States in the same manner as moneys which had not previously been allotted.

(b) Allotments for the remaining six months shall be made prior to the beginning of the third quarter or as soon thereafter as practicable, and shall equal the total sum remaining unpaid and unallotted from the amount available for allotment during the fiscal year.

(c) The Secretary of the Treasury and the respective State health authorities shall be notified of the amounts of allotments and of the period for which they are made.

§ 52.4 *State plans; mode of submittal.* (a) Each State making application for grants for a cancer control program shall submit plans through its State health authority. A State making such an application may consolidate its plan with the plans submitted in accordance with section 314 of the act: *Provided,* That the information specifically required for a State plan is distinguished with respect to each purpose.

(b) The State plan shall be prepared in accordance with official forms supplied by the Public Health Service for the purpose and may be amended with the approval of the Surgeon General or his designee.

§ 52.5 *State plans; contents.* A State plan for a cancer-control program shall include:

(a) A description of the current organization for and health services included in the program and the proposals for extending, improving, and otherwise modifying such organization and services;

(b) Provision for cancer services in substantial accordance with nationally accepted standards;

(c) A budget by project totals for carrying out the services described under paragraph (a) of this section;

(d) A statement that the plan if approved will be carried out as described and in accordance with the regulations in this part.

§ 52.6 *State plans; time of submittal and approval.* (a) A State plan shall be submitted prior to the beginning of the fiscal year to which it relates or as soon thereafter as practicable.

(b) A plan or amendment thereto shall not be approved for any period antedating receipt of such plan by the Public Health Service: *Provided,* That exceptions to this rule may be made by the Surgeon General when necessary to meet emergencies.

(c) The budget for cancer services shall not be approved unless each item thereof relates to activities described in the State plan.

§ 52.7 *Payments to States.* Payments from allotments to a State having an approved plan shall not exceed the allotment to such State or the total estimated expenditure necessary for carrying out the State plan, whichever is less. Subject to the foregoing limitations, payments shall be made as follows:

(a) Payment for the first quarter shall be based upon an application for funds showing the State's estimated requirement for such quarter.

(b) Payment for the second quarter shall be the amount of the difference between the unpaid balance of the allotment of the respective State for the first six months and the unencumbered cash balance of the Federal funds in the State Treasury at the beginning of the first quarter, adjusted for exceptions.

(c) Payment for subsequent quarters from the allotment for the final six-month period shall be made once in each quarter and shall be based upon an application for funds showing the estimated requirements for such quarter and the estimated unencumbered balance of Federal funds in the State Treasury at the beginning of the quarter for which payment is to be made. All such payments shall be in the amount of the difference between the estimated requirement and the estimated unencumbered cash balance adjusted for exceptions, except that the amount paid for either the third or the fourth quarter, together with the estimated unencumbered balance of Federal funds in the State Treasury at the beginning of the quarter, shall not exceed 35 percent of the total

amount available to the State for the year.

(d) Any amount in excess of 35 percent of the total allotment to a State remaining unpaid after the third quarter payment, and any unpaid balance in the allotment of a State remaining unpaid after the final payment to a State, shall be available for special project grants.

(e) Payments from allotments shall not be certified unless an application for payment and all reports and documents prescribed by the regulations in this part to be due have been received.

§ 52.8 *Required expenditures of State and local funds.* (a) Moneys paid to any State for carrying out an approved State plan for any fiscal year shall be paid on the condition that there be expended in the State, during such fiscal year and for purposes specified in the State plan, public funds of the State and its political subdivisions (excluding any funds derived by loan or grant from the United States) and contributions made available by voluntary agencies for carrying out the State plan in an amount equal to 50 percent of the amount of Federal funds to be expended pursuant to the State plan.

Required expenditures of State and local funds may include funds available specifically for cancer programs and funds for generalized service to the extent that such expenditures contribute to the cancer program and are not used to meet the requirements for State and local expenditures of other Federal grant programs.

(b) Federal funds paid to a State for its cancer control program shall not be used to conserve State and local funds otherwise available for such purpose.

§ 52.9 *Expenditure of Federal funds.* (a) Federal funds paid to a State shall be expended solely for the purposes specified in plans approved by the Surgeon General or his designee, and in accordance with the regulations in this part.

(b) Except as otherwise authorized by the Surgeon General, the provisions of State law which are applicable to the expenditure of moneys appropriated by the State shall apply to the expenditure of Federal moneys paid to the State.

(c) All encumbrances of Federal funds shall be liquidated within two years after the end of the fiscal year in which the encumbrance was incurred unless otherwise authorized by the Surgeon General. The amount of encumbrances not so liquidated, adjusted by such amounts as otherwise authorized, will be treated for the purpose of determining payments under the regulations in this part as constituting a part of the unencumbered cash balance at the end of the second succeeding fiscal year.

§ 52.10 *Use of Federal funds for training.* Use of Federal funds for training personnel for State and local health work shall be authorized by the State health authority in accordance with "Minimum Standards for Sponsored Training of the Public Health Service." Records of authorized training shall be maintained in the State health agency and shall be audited for compliance with these standards.

§ 52.11 *Personnel administration on a merit basis.* A system of personnel administration on a merit basis shall be established and maintained for personnel employed in the program, the budget of which provides for the expenditure of Federal funds or of State or local funds for matching purposes. Standards for evaluating compliance with this requirement shall be contained in "merit system standards of the Public Health Service" in effect at the time of the expenditure.

§ 52.12 *Fiscal accounting and controls.* (a) The principal State accounting officer shall maintain either (1) a separate and distinct fund account for Federal cancer funds; or (2) a separate and distinct fund account for each State agency in which all Public Health Service grants may be commingled with other Federal grants (but no other funds) available to such agency.

(b) The State and local public health agencies receiving cancer funds under the regulations in this part shall establish and maintain efficient methods for conducting fiscal affairs (including financial and property controls). Each State agency shall maintain a separate and distinct fund account for the Public Health Service cancer grant.

§ 52.13 *Reports.* The Surgeon General may require the submission of information pertinent to the operation of the State plan and to the purpose of the grant, including the following, which wherever possible may be consolidated with data furnished in accordance with section 314 of the act: *Provided*, That the information specifically required for the cancer control program is identified:

(a) A certification on an official form as to the amount of State and local funds available for carrying out the State plan shall be due in duplicate within 90 days after the beginning of the fiscal year to which the plan relates.

(b) Quarterly reports on official forms showing (1) total receipts, expenditures, unliquidated encumbrances, and balances of Federal funds, and (2) for the first three quarters, total quarterly expenditures from Federal grants and other sources for each activity shown in the budget for cancer control shall be due in duplicate 45 days after the close of the quarter.

(c) An annual report on an official form, showing total expenditures from Federal funds and other sources for each activity shown in the budget for cancer control, shall be due in duplicate within 90 days after the close of the fiscal year to which the plan relates.

(d) A report on an official form showing personnel, facilities and services for each local health organization included in the current State plan shall be due in duplicate on February 15 of the fiscal year to which the plan relates.

§ 52.14 *Audits.* Audits of the activities and program described in the State plan may be made after prior consultation with the State health authority. Records, documents, and information available to the State health authority pertinent to the audit shall be accessible for purposes of audit.

§ 52.15 *Project grants; eligibility; submission of plan; approval.* State health agencies, universities, hospitals, laboratories, institutions, or professional nonprofit organizations, public or private, will be eligible to apply for funds for projects relating to cancer control. The applicant shall submit plans for such projects through the State health authority.

§ 52.16 *Project plans; contents.* A project plan with respect to a cancer grant shall describe:

(a) The current organization and functions of the applicant, personnel available for cancer activities, objectives of the project and techniques for operation; and

(b) The amount of funds available to the applicant for the project, the amount of Federal funds required, the personnel needed, the cost of permanent equipment, consumable supplies, travel, and other expenses (itemized) and the period during which the project will be operated.

§ 52.17 *Payment to project grantees; unused funds.* Upon the approval of a project plan the total amount of the project will be paid directly to the grantee. A separate and distinct fund account shall be maintained by the grantee for the Federal funds paid under this part. Any balances of the grant remaining unspent at the close of the project shall be returned to the Treasury of the United States.

§ 52.18 *Project expenditures; required reports; audits.* Federal funds paid to a project grantee shall be expended solely for the purposes specified in the project plan approved by the Surgeon General and in accordance with the regulations in this part. Progress and financial reports shall be submitted to the Surgeon General by the grantee at the end of the approved project year. Audit of the activities described in the project plan may be made after prior consultation with the grantee. Records, documents, and information available to the grantee pertinent to the audit shall be accessible for purposes of audit.

Effective date; prior regulations superseded. The regulations in this part, which become effective upon the date of their publication in the FEDERAL REGISTER, shall apply for the fiscal year 1952 and all succeeding fiscal years, and, with respect to such fiscal years, shall supersede the regulations heretofore contained in this part.

[SEAL] W. P. DEARING,
Acting Surgeon General.

Approved: January 21, 1952.

JOHN L. THURSTON,
Acting Federal Security Administrator.

[F. R. Doc. 52-974; Filed, Jan. 24, 1952; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter A—Alaska

[Circular 1810]

PART 80—TOWN SITES[1]

INDIAN POSSESSIONS IN TRUSTEE TOWNS; NATIVE TOWNS

A footnote as indicated below is added to Part 80, and the following text is substituted for §§ 80.18 to 80.27, inclusive:

Sec.

AUTHORITY: §§ 80.18 to 80.27 issued under 44 Stat. 630; 48 U. S. C. 355d. Interpret or apply 44 Stat. 629, 630, 62 Stat. 35; 48 U. S. C. 355a, 355b, 355c, 355e.

§ 80.18 *Statutory authority.* The act of May 25, 1926 (44 Stat. 629; 48 U. S. C. 355a–355d) provides for the town-site survey and disposition of public lands set apart or reserved for the benefit of Indian or Eskimo occupants in trustee town-sites in Alaska and for the survey and disposal of the lands occupied as native towns or villages. The act of February 26, 1948 (62 Stat. 35; 48 U. S. C. 355e), provides for the issuance of an unrestricted deed to any competent native for a tract of land claimed and occupied by him within any such trustee town-site.

§ 80.19 *Administration of Indian possessions in trustee towns.* As to Indian possessions in trustee town-sites in Alaska established under authority of section 11 of the act of March 3, 1891 (26 Stat. 1009; 48 U. S. C. 355), and for which the town-site trustee has closed his accounts and been discharged as trustees, and as to such possessions in other trustee town-sites in Alaska, such person as may be designated by the Secretary of the Interior will perform all necessary acts and administer the necessary trusts in connection with the act of May 25, 1926.

§ 80.20 *Application for restricted deed.* A native Indian or Eskimo of Alaska who occupies and claims a tract of land in a trustee town-site and who desires to obtain a restricted deed for such tract should file application therefor on Form 4–231, with the town-site trustee.

§ 80.21 *Administration of native towns.* The trustee for any and all native towns in Alaska which may be established and surveyed under authority of section 3 of the said act of May 25, 1926 (44 Stat. 630; 48 U. S. C. 355c), will take such action as may be necessary to accomplish the objects sought to be accomplished by that section.

§ 80.22 *No payment, publication or proof required on entry for native towns.* In connection with the entry of lands as a native town or village under section 3 of the said act of May 25, 1926, no payment need be made as purchase money or as fees, and the publication and proof which are ordinarily required in connection with trustee town-sites will not be required.

§ 80.23 *Native towns occupied partly by white occupants.* Native towns which are occupied partly by white lot occupants will be surveyed and disposed of under the provisions of both the act of March 3, 1891 (26 Stat. 1095, 1099), and the act of May 25, 1926 (44 Stat. 629).

§ 80.24 *Provisions to be inserted in restricted deeds.* The town site trustee will note a proper reference to the act of May 25, 1926, on each deed which is issued under authority of that act and each such deed shall provide that the title conveyed is inalienable except upon approval of the Secretary of the Interior or his authorized representative, and that the issuance of the restricted deed does not subject the tract to taxation, to levy and sale in satisfaction of the debts, contracts, or liabilities of the transferee, or to any claims of adverse occupancy or law of prescription; also, if the established streets and alleys of the town site have been extended upon and across the tract, that there is reserved to the town site the area covered by such streets and alleys as extended. The deed shall further provide that the approval by the Secretary of the Interior or his authorized representative of a sale by the Indian or Eskimo transferee shall vest in the purchaser a complete and unrestricted title from the date of such approval.

§ 80.25 *Sale of land for which restricted deed has issued.* When a native possessing a restricted deed for land in a trustee town site, issued under authority of the act of May 25, 1926 (44 Stat. 629; 48 U. S. C. 355a–355d), desires to sell the land, he should execute a deed on Form 4–232a prepared for the approval of the Secretary of the Interior, or his authorized representative, and send it to the town-site trustee in Alaska. The town-site trustee will forward the deed to the Area Director of the Alaska Native Service who will determine whether it should be approved. Where the deed is approved it shall be returned by the Area Director, Alaska Native Service, through the town-site trustee to the vendor. In the event the Area Director determines that the deed shall not be approved, he shall so inform the native possessing the restricted deed, who shall have a right of appeal from such finding or decision to the Commissioner of Indian Affairs within sixty days from the date of notification of such finding or decision. The appeal shall be filed with the Area Director. Should the Commissioner uphold the decision of the Area Director, he shall notify the applicant of such action, informing him of his right of appeal to the Secretary of the Interior.

§ 80.26 *Application for unrestricted deed.* Any Alaska native who claims and occupies a tract of land in a trustee town site or is the owner of land under a restricted deed issued under the act of May 25, 1926 (44 Stat. 629; 48 U. S. C. 355a–355e), may file an application for an unrestricted deed pursuant to the act of February 26, 1948 (62 Stat. 35; 48 U. S. C. 355e), with the town-site trustee. The application must be in writing and must contain a description of the land claimed and information regarding the competency of the applicant. It must also contain evidence substantiating the claim and occupancy of the applicant, except when the applicant has been issued a restricted deed for the land. A duplicate copy of the application must be submitted by the applicant to the Area Director of the Alaska Native Service.

§ 80.27 *Determination of competency or noncompetency; issuance of unrestricted deed.* (a) Upon a determination by the Alaska Native Service that the applicant is competent to manage his own affairs, and in the absence of any conflict or other valid objection, the town-site trustee will issue an unrestricted deed to the applicant. Thereafter all restrictions as to sale, encumbrance, or taxation of the land applied for shall be removed, but the said land shall not be liable to the satisfaction of any debt, except obligations owed to the Federal Government, contracted prior to the issuance of such deed. Any adverse action under this section by the town-site trustee shall be subject to a right of appeal to the Director, Bureau of Land Management, and to the Secretary of the Interior, in accordance with the rules of practice (43 CFR Part 221).

(b) In the event the Area Director determines that the applicant is not competent to manage his own affairs, he shall so inform the applicant, and such applicant shall have a right of appeal from such finding or decision to the Commissioner of Indian Affairs, within 60 days from the date of notification of such finding or decision. The appeal shall be filed with the Area Director. Should the Commissioner uphold the decision of the Area Director, he shall notify the applicant of such action, informing him of his right of appeal to the Secretary of the Interior.

(c) Except as provided in this section, the town-site trustee shall not issue other than restricted deeds to Indian or other Alaska natives.

NOTE: The record keeping or reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

R. D. SEARLES,
Acting Secretary of the Interior.

JANUARY 19, 1952.

[F. R. Doc. 52-951; Filed, Jan. 24, 1952; 8:45 a. m.]

[1] The Regional Administrator, Bureau of Land Management, Anchorage, Alaska, has been designated as the town-site trustee for all townsites in Alaska established under authority of §§ 80.2 to 80.27, inclusive.

Appendix—Public Land Orders

[Public Land Order 791]

NEW MEXICO

PARTIAL REVOCATION OF PUBLIC LAND ORDER NO. 629 OF JANUARY 13, 1950, RESERVING LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 629 of January 13, 1950, reserving lands for the use of the Department of the Air Force as a bombing and gunnery range, is hereby revoked so far as it affects the public lands within the following-described areas:

NEW MEXICO PRINCIPAL MERIDIAN

T. 26 S., R. 18 E.,
Secs. 19, 20, 21, and 28 to 33, inclusive.

The areas described, including both public and non-public lands, aggregate 4,736.87 acres.

The lands are chiefly valuable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert land, or any other non-mineral public land laws, unless the lands have already been classified as valuable or suitable for such types of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1; 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Santa Fe, New Mexico.

R. D. SEARLES,
Acting Secretary of the Interior.

JANUARY 19, 1952.

[F. R. Doc. 52-949; Filed, Jan. 24, 1952; 8:45 a. m.]

[Public Land Order 792]

ALASKA

REVOKING EXECUTIVE ORDER NO. 3473 OF MAY 25, 1921 WITHDRAWING THE RELEASED LANDS FOR TOWN-SITE PURPOSES

By virtue of the authority vested in the President by section 2380 of the Revised Statutes (43 U. S. C. 711), and otherwise, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 3473 of May 25, 1921, reserving the following-described land for the use of the Signal Corps, United States Army, in connection with the maintenance of telegraph communication in Alaska, is hereby revoked:

Beginning at Corner No. 1, marked by an iron pipe monument about two and three-eighths inches in diameter, being centered by a tack by means of a wooden plug, and placed at the intersection of the east line of the Saint Peter Claver Mission and the bank of the Yukon River; thence N. 25° 30' W. 1,780 feet following the East boundary line of the said Mission to Corner No. 2, marked by a monument of the same description as said monument at Corner No. 1; thence N. 64° 30' E. 970 feet to Corner No. 3, marked by a monument of the same description as said monument at Corner No. 1; thence S. 25° 30' E. 1,340 feet to Corner No. 4, marked with a monument of the same description as said monument at Corner No. 1; thence S. 64° 30' W. 850 feet to Corner No. 5, marked with a monument of the same description as said monument at Corner No. 1; thence S. 25° 30' E. 450 feet to Corner No. 6, marked with a monument of the same description as said monument at Corner No. 1; thence S. 64° 30' W. 103 feet, following the meanderings of the bank of the Yukon River to Corner No. 1, the point of beginning; containing an area of 30.7 acres more or less. All courses refer to the true meridian.

The lands described above are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws and reserved for town-site purposes, to be hereafter disposed of under applicable town-site laws.

R. D. SEARLES,
Acting Secretary of the Interior.

JANUARY 19, 1952.

[F. R. Doc. 52-950; Filed, Jan. 24, 1952; 8:45 a. m.]

[Public Land Order 793]

IDAHO

REVOCATION OF PUBLIC LAND ORDER NO. 94 OF MARCH 5, 1943

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 94 of March 5, 1943, as amended by Executive Order No. 9526 of February 28, 1945, reserving the public lands in the following-described areas in Idaho for the use of the War Department for military purposes, is hereby revoked:

BOISE MERIDIAN

T. 10 S., R. 27 E.,
Secs. 2, 3, 10, and 11.
T. 4 S., R. 30 E.,
Secs. 26, 34, 35, and 36.
T. 5 S., R. 30 E.,
Secs. 1 to 4, inclusive, secs. 8 to 11, inclusive, secs. 15 to 21, inclusive, and sec. 29.

The areas described, including both public and non-public lands aggregate 15,421.88 acres.

The lands are chiefly valuable for grazing purposes.

No applications for these lands may be allowed under the homestead, small tract, or desert-land laws, or any other non-mineral public-land laws, unless the lands have been classified as valuable or suitable for such types of applications or shall be so classified upon the consideration of an application.

This order shall not otherwise become effective to change the status of such

lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

R. D. SEARLES,
Acting Secretary of the Interior.

JANUARY 19, 1952.

[F. R. Doc. 52-952; Filed, Jan. 24, 1952; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 301]

WHITE-PINE BLISTER RUST

PROPOSED AMENDMENTS OF REGULATIONS COVERING INTERSTATE MOVEMENT OF FIVE-LEAVED PINES

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering amending §§ 301.63–1, 301.63–5, 301.63–6, and 301.63–7 of the regulations governing interstate movement of five-leaved pines (7 CFR 301.63–1, 301.63–5, 301.63–6, and 301.63–7), which regulations are supplementary to the notice of the White-Pine Blister Rust Quarantine No. 63 (7 CFR 301.63), in the following respects:

1. Amend § 301.63–1 by deleting paragraph (d) thereof, and redesignating paragraphs (e), (f), (g), (h), and (i) thereof as paragraphs (d), (e), (f), (g), and (h), respectively.

2. Amend § 301.63–5 by deleting from the first sentence of subparagraph (1) of paragraph (a) thereof the reference to the States of Georgia, Kentucky, South Carolina, and Tennessee, and by placing a period after the words "United States" in the second sentence of said subparagraph (1), and deleting the remainder of such sentence reading: "except when intended for reforestation purposes and when they have been grown in a nursery protected from blister rust infection and when accompanied by a white-pine certificate issued for such movement by the Bureau of Entomology and Plant Quarantine."

3. Amend § 301.63–6 by deleting the words "white-pine certificates and" from the caption thereof; deleting paragraph (a) thereof; and redesignating paragraphs (b) and (c) thereof as paragraphs (a) and (b), respectively.

4. Amend redesignated paragraph (b) of § 301.63–6 by deleting the words "certificates and", "white-pine certificates or", and "certificate or" wherever they occur therein in these combinations.

5. Amend § 301.63–7 by deleting the words "white-pine certificates and" and "certificates or" wherever they occur therein in these combinations.

Blister rust infection has been found on either pine or ribes, or both, in most of the Southern Appalachian region, including Georgia and Tennessee. Although rust has not been found in either Kentucky or South Carolina, both States are exposed to natural spread from adjacent States. Consequently it is no longer considered necessary to restrict the movement of white pines into these States. It is, however, advisable to discontinue the present unrestricted movement of pines from these four States to the remaining noninfected States. The proposed amendment would delete these four States from those designated as noninfected by the white-pine blister rust.

In order to afford additional protection to the noninfected States it is proposed to delete the exception in subparagraph (1), paragraph (a), § 301.63–5 which now allows the movement of five-leaved pines into noninfected States when such pines are intended for reforestation purposes, when they have been grown in a nursery protected from blister rust infection, and when they are accompanied by a certificate issued for such movement by the Bureau of Entomology and Plant Quarantine. Under this exception there has been no movement of white pines for reforestation purposes into the noninfected Southwestern States from outside sources. Consequently removal of the exception would have no effect on reforestation in the remaining noninfected States, but would eliminate the slight risk of introducing the rust into such noninfected States that might exist under the present exception. Deletion of the exception would require coincident amendments as proposed in §§ 301.63–1, 301.63–6, and 301.63–7.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 20 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 21st day of January 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-958; Filed, Jan. 24, 1952; 8:46 a. m.]

Production and Marketing Administration

[7 CFR Part 51]

UNITED STATES STANDARDS FOR RASPBERRIES FOR PROCESSING

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Raspberries for Processing under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1952 (Pub. Law 135, 82d Cong., approved Aug. 31, 1951).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with M. W. Baker, Deputy Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the thirtieth (30) day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 51.378 *Standards for raspberries for processing*—(a) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 consists of raspberries of similar varietal characteristics which are well colored and which are free from cores, mold or decay, and from dried and distinctly immature berries and from damage caused by overmaturity, crushing, shriveling, dirt, or other foreign matter, hail, sunscald, windwhips and other scars, moisture, birds, disease, insects, discoloration, mechanical or other means.

(i) In order to allow for variations incident to proper handling, not more than a total of 5 percent, by weight of the raspberries in any lot may fail to meet the requirements of this grade: *Provided,* That, not more than one-fifth of this amount, or 1 percent, shall be allowed for raspberries affected by mold or decay, or which are seriously damaged by insects.

(2) *U. S. No. 2.* U. S. No. 2 consists of raspberries which meet the requirements for U. S. No. 1 grade except for the increased tolerances for defects specified as follows:

(i) In order to allow for variations incident to proper handling, not more than a total of 10 percent, by weight, of the raspberries in any lot may fail to meet the requirements of this grade: *Provided,* That, not more than one-fifth of this amount, or 2 percent, shall be allowed for raspberries affected by mold or decay, or which are seriously damaged by insects.

(b) *Unclassified.* Unclassified consists of raspberries which have not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) *Definitions.* (1) "Similar varietal characteristics" means that the raspberries are of the same general color. For example, black raspberries shall not be mixed with red or purple raspberries and red raspberries shall not be mixed with black or purple raspberries.

(2) "Well colored" means that the whole surface of the berry has the color characteristic of a mature berry for the variety.

(3) "Mold" means any surface mold that is plainly visible to the naked eye.

(4) "Dried" means appreciably lacking in juice. Dried berries are excessively seedy and often shriveled.

(5) "Distinctly immature" means that the berries are light red, whitish, or green in the case of types or varieties which are characteristically purple or black, when well ripened; and that the berries are whitish or green in the case of types or varieties which are characteristically red, when well ripened.

(6) "Damage" means any injury or defect which materially affects the appearance or the processing quality of the raspberries. The following shall be considered as damage:

(i) Overmaturity, when the druplets of the berry have lost their luster and are excessively soft. Such berries usually disintegrate when washed under pressure.

(ii) Crushing, when more than one-fourth of the druplets of the berry have been crushed.

(iii) Shriveling, when the berry is materially shrieveled as evidenced by drying or undevelopment of more than one-fourth of the druplets of the berry.

(iv) Dirt, when it cannot be removed from the berry in the ordinary washing process.

(7) "Seriously damaged by insects" means the presence of one or more insects on the raspberry.

Done at Washington, D. C., this 21st day of January 1952.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-959; Filed, Jan. 24, 1952; 8:46 a. m.]

[7 CFR Part 983]

[AO 239]

HANDLING OF TYPE 62 TOBACCO GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA AND GEORGIA

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1 et seq.), notice is hereby given of a public hearing to be held in the Court Room of the Gadsden County Court House, Quincy, Florida, beginning at 9:00 a. m., e. s. t., February 12, 1952, with respect to a proposed marketing agreement and order regulating the handling of Type 62 Shade-grown cigar leaf tobacco grown in the counties bordering the Georgia-Florida State line and lying between the Suwanee River on the east and the Flint and Apalachicola Rivers on the west. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order hereinafter set forth, or appropriate modifications thereof.

Growers and packers of Type 62 tobacco, produced in the proposed production area, submitted, and requested a hearing on, the proposed marketing agreement and order regulating the handling of such tobacco.

DEFINITIONS

§ 983.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, and any other officer or employee of the United States Department of Agriculture who is, or may hereafter be, authorized to act in his stead.

§ 983.2 *Act.* "Act" means Public Act Number 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

§ 983.3 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 983.4 *Tobacco.* "Tobacco" means all Type 62 Shade-grown cigar leaf tobacco, as classified in Service and Regulatory Announcement No. 118 (7 CFR Part 30), that is grown in the production area and harvested after the effective date of this subpart.

§ 983.5 *Production area.* "Production area" means those counties bordering the Georgia-Florida State line and lying between the Suwanee River on the east and the Flint and Apalachicola Rivers on the west.

§ 983.6 *Grower; producer.* "Grower" or "producer" means any person who is engaged, in a proprietary capacity, in the commercial production of tobacco.

§ 983.7 *Handler; packer.* "Handler" or "packer" means the first person, including any grower, who handles tobacco on his own behalf or on behalf of others after harvest and farm curing (initial drying from the green state).

§ 983.8 *Handle; pack.* "Handle" or "pack" means to receive, bulk, sweat, sort, select, bale, or otherwise prepare tobacco for market, or to market tobacco.

§ 983.9 *Top.* "Top" means to remove the terminal bud from any tobacco plant by severing the stalk below the seed head prior to the time the third priming is made.

§ 983.10 *Prime.* "Prime" means to pick tobacco leaves as they ripen, beginning at the bottom of the tobacco stalk and removing a few leaves at a time.

§ 983.11 *Field.* "Field" means a field of tobacco within the confines of a single shade covering.

§ 983.12 *Fiscal period.* "Fiscal period" means the 12-month period beginning on February 1 and ending on January 31 of the following year, both dates inclusive: *Provided,* That the first fiscal period shall begin on the effective date of this subpart.

§ 983.13 *Control Committee; Committee.* "Control Committee" or "Committee" means the Control Committee established pursuant to § 983.20.

CONTROL COMMITTEE

§ 983.20 *Establishment and membership*—(a) *Establishment.* A control Committee consisting of 11 members is hereby established to administer the terms and provisions of this subpart. For each member of the Committee there shall be an alternate member who shall have the same qualifications as the member; and, unless otherwise specified, all provisions of this subpart applicable to a member shall be applicable to his alternate.

(b) *Membership representation*—(1) *Growers who are not handlers.* Five members shall be growers who are not handlers; and of such members at least: one shall be a grower in, and resident of, Gadsden County, Florida; one shall be a grower in, and resident of, Madison County, Florida; one shall be a grower in, and resident of Decatur County, Georgia; and one shall be a grower in, and resident of, Grady County, Georgia. Any such member may be an officer, employee or agent of the respective grower.

(2) *Growers who are also handlers.* Four members shall be growers who are also handlers. Any such member may be an officer, employee or agent of the respective grower.

(3) *Handlers who are not growers.* Two members shall be handlers who are not growers. Any such member may be an officer, employee or agent of the respective handler.

§ 983.21 *Terms of office*—(a) *Initial members.* The term of office of each initial member of the Committee shall be the first fiscal year.

(b) *Successor members.* The term of office of each successor member shall be two consecutive fiscal years.

(c) *General.* In the event a successor to any such member has not been selected and has not qualified by the end of the term of office of the respective member, such member shall continue to serve until his successor is selected and has qualified. Each member shall commence to serve on the date on which he qualifies.

§ 983.22 *Selection of members.* The Secretary shall select the various members of the Control Committee, and their respective alternates, on the basis and in the manner prescribed in § 983.20 and § 983.23. However, with respect to the selection of the initial members of the Committee, the Secretary may make such selection without regard to any nominations.

§ 983.23 *Nominations*—(a) *Initial members.* For the consideration of the Secretary in making the selection of initial members of the Committee, nominations for eligible members may be submitted to him not later than the effective date of this subpart. Nominations for the grower members who are not handlers may be submitted by growers who are not handlers, or by groups, including associations, of such growers. Such nominations may be by virtue of elections conducted by groups of such growers. Nominations for the grower members who are also handlers may be submitted by growers who are also handlers, or by groups, including associations, of such growers. Such nominations may be by virtue of elections conducted by groups of such growers. Nominations for the handler members who are not growers may be submitted by handlers or by groups, including associations, of such handlers. Such nominations may be by virtue of elections conducted by groups of such handlers.

(b) *Successor members.* In order to provide nominations for successor members: (1) The Control Committee shall hold, or cause to be held, prior to November 15 of each year, in which successor members are to be selected by the Secretary, a meeting of growers who are not handlers for the purpose of designating nominees from among whom the Secretary may select grower members who are not handlers.

(2) The Control Committee shall hold, or cause to be held, prior to November 15 of each year, in which successor members are to be selected by the Secretary, a meeting of growers who are also handlers for the purpose of designating nominees from among whom the Secretary may select grower members who are also handlers.

(3) The Control Committee shall hold, or cause to be held, prior to November 15 of each year, in which successor members are to be selected by the Secretary, a meeting of handlers who are not growers for the purpose of designating nominees from among whom the Secretary may select handler members who are not growers.

(4) The Control Committee shall give adequate notice of each such meeting to all growers and handlers who may be eligible to participate in the respective nominations.

(5) The Secretary may prescribe additional rules and regulations, not inconsistent with the provisions of this subpart, relative to the election of nominees for members on the Committee. Such action may be pursuant to recommendations of the Committee.

(6) At each such meeting held to nominate members on the Control Committee, those eligible to participate therein shall elect a chairman and secretary therefor. The chairman of each such meeting shall announce the name of each person for whom a vote has been cast, and the number of votes received by each shall be recorded in the minutes. Thereafter, the minutes of such meeting, including such information, shall be transmitted to the Secretary. In obtaining nominations, all persons eligible to participate therein shall be given a reasonable opportunity to vote.

(7) Only those eligible persons who are in attendance at any such meeting may participate in the designation of, and voting for, nominees. Each such person shall be entitled to cast but one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives for each member position for which he is eligible to participate in the designation and voting.

(8) Nominations for members shall be supplied to the Secretary not later than December 1 of the year in which the respective meeting was held, in such manner and form as the Secretary may prescribe.

§ 983.24 *Failure to nominate.* If nominations are not supplied to the Secretary within the time and in the manner and form specified by the Secretary pursuant to § 983.23 (b), the Secretary may, without regard to nominations, select the Committee members on the basis prescribed in § 983.20.

§ 983.25 *Qualification.* Each person selected by the Secretary as a member of the committee shall, prior to serving on the Committee, qualify by filing a written acceptance with the Secretary within 15 days after being notified of such selection.

§ 983.26 *Alternate members.* An alternate for a member of the Committee shall, in the event of the member's absence, act in the place and stead of that member; and, in the event of the member's removal, resignation, disqualification, or death, such alternate shall act in the place and stead of such member until a successor for the unexpired term of said member is selected and has qualified.

§ 983.27 *Substitutes for members.* In the event the alternate who is authorized to act in the place and stead of a member is unable, or fails, to attend a meeting of the Committee, such member may designate any other alternate for a member of the same group as that represented by the absent member to act in his place and stead, and, pending such designation, the Secretary may designate such substitute.

§ 983.28 *Vacancies.* To fill any vacancy which occurs by reason of the failure of any person, selected as a member of the Control Committee, to file a written acceptance of appointment, or the death, removal, resignation, or disqualification of a member, a successor for his unexpired term of office shall be selected by the Secretary. Nominations may be submitted to the Secretary for his consideration in making such selection. The designation of nominees from among whom the Secretary may

select a successor shall be in accordance with the provisions of this subpart applicable to the designation of nominees for successors to members of the Committee. In the event that such nominations are not submitted to the Secretary within 30 days after the beginning of the vacancy, the Secretary may select a successor without regard to such nomination.

§ 983.29 *Compensation.* Members of the Control Committee shall serve without compensation, but shall be reimbursed for reasonable expense necessarily incurred in the performance of their duties under this subpart.

§ 983.30 *Powers.* The Control Committee shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 983.31 *Duties.* The Control Committee shall have the following duties:

(a) To act as intermediary between the Secretary and any grower or handler;

(b) To select, from among its membership, a chairman and such other officers as may be necessary; to select subcommittees composed of committee members; and to adopt such rules and regulations for the conduct of its business as it deems advisable;

(c) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of such employees;

(d) To keep such minutes, books, and other records as will clearly reflect all of its acts and transactions and which shall be subject to examination at any time by the Secretary;

(e) To furnish to the Secretary information as to all of its activities, including a copy of the minutes of each meeting, and such other information as the Secretary may request;

(f) To cause the books and other records of the Committee to be audited by one or more competent accountants at least once each fiscal period and at such other times as the Control Committee may deem necessary or as the Secretary may request, which report shall show the receipt and expenditure of funds collected pursuant to this subpart; and a copy of each such report shall be furnished to the Secretary;

(g) To give to the Secretary the same notice of meetings of the Control Committee as is given to the members of the Committee; and

(h) With the approval of the Secretary, to issue such regulations as may be necessary and appropriate for the carrying out of the provisions of this subpart.

§ 983.32 *Procedure.* (a) The Control Committee may, upon the selection and qualification of nine of its members, organize and commence to function. It may hold meetings only after due notice to its members. The Secretary may designate the time and place of the initial meeting of the Committee.

(b) A quorum shall consist of nine members, including alternate members then serving in the place and stead of any members, in attendance at the meeting; and all decisions of the Committee shall require not less than seven concurring votes of the members who are present at such meeting.

(c) The Committee may permit voting by mail or telegraph upon due notice to all members: *Provided,* That this method of voting shall not be used at an assembled meeting to obtain votes from absent members: *Provided further,* That when any proposition is submitted for polling by such method, one dissenting vote shall prevent its adoption.

EXPENSES AND ASSESSMENTS

§ 983.40 *Use of funds collected.* All funds received by the Committee pursuant to this subpart shall be used only for the purposes authorized in this subpart.

§ 983.41 *Budget and expenses.* The Control Committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred by it during the then current fiscal period for its maintenance and functioning. The Committee shall, not later than 30 days after the beginning of each fiscal period, prepare and submit to the Secretary a budget of its proposed expenses for such fiscal period and a proposed rate of assessment, together with a report thereon. The funds to cover such expenses shall be acquired by levying assessments upon handlers as provided in this subpart.

§ 983.42 *Assessments.* (a) Each handler who first handles tobacco shall, with respect to such tobacco, pay to the Committee, upon demand, such handler's pro rata share of the expenses which the Secretary finds will be incurred, as aforesaid, by the Committee during the then current fiscal period. Each such handler's pro rata share of such expenses shall be equal to the ratio between the total quantity of tobacco handled by him as the first handler thereof during the applicable fiscal period and the total quantity of tobacco handled by all handlers as the first handlers thereof during the same fiscal period.

(b) In order to provide funds to carry out the functions of the Committee, handlers may make advance payments of assessments.

§ 983.43 *Rate of assessment.* (a) The Secretary shall fix the rate of assessment to be paid by such handlers; and such rate shall be fixed after consideration of the Committee's recommendations and other available information applicable thereto.

(b) The Secretary may increase the rate of assessment at any time during a fiscal period in order to secure sufficient funds to cover any later finding of the Secretary relative to the expenses of the Committee.

§ 983.44 *Refunds.* If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal period, unless he demands payment thereof, in which event such proportionate refund shall be paid to him.

§ 983.45 *Accountability of Committee members for funds and property.* The Secretary may, at any time, require the Committee, its members, employees, agents, and all other persons to account for all receipts and disbursements for which they are responsible. Whenever any person ceases to be a member of the Control Committee, he shall account to his successor, to the Committee, or to such person as the Secretary may designate for all receipts, disbursements, funds, books and records, and other property (in his possession or under his control) pertaining to the activities of the Committee for which he is responsible, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, the Committee, or person designated by the Secretary the right to all of such funds and property and all claims vested in such person.

§ 983.46 *Legal action for collection of assessments.* The Control Committee may, with the approval of the Secretary, maintain in its own name, or in the name of its members, legal action against any handler for the collection of such handler's pro rata share of the aforesaid expenses.

REGULATION

§ 983.50 *Marketing policy and report.* (a) At the beginning of each fiscal period the Committee shall consider, prepare, and submit to the Secretary, a proposed policy, including a report thereon, for the handling of tobacco during such period.

(b) In developing its marketing policy, the Committee shall investigate relevant supply and demand conditions for tobacco. In such investigation, the Committee shall give appropriate consideration to the following:

(1) Estimated supply of and demand for tobacco (after considering carryover, production, disappearance, and like factors);

(2) Market price of tobacco by grade and quality at the grower-level and the handler-level;

(3) The trend and level of consumer income; and

(4) Other relevant factors.

(c) In the event it becomes advisable to deviate from such marketing policy, because of changed supply and demand conditions, the Control Committee shall formulate a new or revised marketing policy in the manner heretofore indicated and shall submit such marketing policy, including a report thereon, to the Secretary.

(d) The Control Committee shall notify all growers and handlers of the contents of each such report. The Committee may also publish such report in newspapers, selected by the Committee, of general circulation in each county in

which Type 62 Shade-grown cigar leaf tobacco is produced.

§ 983.51 *Recommendation for regulation.* (a) Whenever the Committee deems it advisable to limit, during any specified period or periods, the handling of tobacco pursuant to this subpart it shall recommend to the Secretary the quantity of tobacco leaves, and the grade or quality of the leaves, or either thereof deemed by it advisable to be handled. Such recommendation may be on the basis of the number of stalk leaves and their location on the tobacco plant, and may contain different limitations with regard to leaves that were primed from tobacco plants that had been topped and leaves that were primed from plants that had not been topped. In making such recommendation, the Committee shall give consideration to the factors referred to in § 983.50. The Committee shall submit such recommendation to the Secretary, together with the information on the basis of which it made its recommendation.

(b) The Committee may recommend the modification, suspension, or termination of any regulation pursuant to this subpart whenever it finds that to do so will tend to effectuate the declared policy of the act. The Committee shall submit such recommendation to the Secretary, together with the information on the basis of which it made its recommendation.

(c) The Committee is not authorized to make any recommendation for any regulation that may limit or prohibit the handling of more than (1) the seven top stalk leaves immediately below the seed head of a tobacco plant that was not topped, or (2) the four top stalk leaves of a tobacco plant that was topped.

§ 983.52 *Issuance of regulation.* (a) Whenever the Secretary finds from the recommendation and information submitted by the Committee, or from other available information, that to limit the quantity of tobacco leaves, and the grade or quality of the leaves, or either thereof, that may be handled would tend to effectuate the declared policy of the act, he shall so limit the handling of tobacco during a specified period or periods. Each such regulation shall specify the quantity of tobacco leaves and the grade or quality of the leaves, or either thereof that may be handled and may be in relation to the number of stalk leaves and their location on the tobacco plant.

(b) The Secretary may modify, suspend, or terminate any regulation pursuant hereto whenever he finds, from the recommendation and information submitted by the Committee, or from other available information, that to do so will tend to effectuate the declared policy of the act.

(c) The Secretary may not issue any regulation that limits or prohibits the handling of more than (1) the seven top stalk leaves immediately below the seed head of a tobacco plant that was not topped, or (2) the four top stalk leaves of a tobacco plant that was topped.

(d) The Secretary shall notify the Control Committee of each such regulation, modification, suspension, and termination; and the Committee shall give reasonable notice thereof to growers and handlers.

§ 983.53 *Initial regulations.* Beginning at the effective time of this subpart and continuing until suspended, modified, or terminated pursuant to this subpart, no person shall handle (a) any of the seven top stalk leaves immediately below the seed head of any tobacco plant that was not topped or (b) the four top stalk leaves of a tobacco plant that was topped.

§ 983.54 *Limitations on handling.* (a) During any period or periods in which any regulation is effective pursuant to this subpart, no handler shall handle any leaves, of any tobacco plant, that are not stalk leaves or any tobacco the handling of which has been prohibited by the Secretary in accordance with the provisions of this subpart. Except to the extent otherwise permitted, no handler shall handle tobacco except in conformity with the provisions of this subpart.

(b) No person, whether as principal, agent, broker, legal representative, or otherwise, shall, unless specifically authorized in writing by the Control Committee, handle more than the first three primings of tobacco grown in any field of any producer unless prior to such handling the Control Committee had issued a "handling certificate" with respect to such tobacco.

§ 983.55 *Issuance of handling certificates.* (a) Each grower shall, with respect to the tobacco of each of his fields, be entitled, upon application to the Control Committee, or its representative, in such manner and form as it may with the approval of the Secretary require, to a certification of the Committee of such tobacco of the grower as may be eligible for handling. Each such certificate shall state the name of the grower and the name of the handler, and identify the field in which the certificated tobacco was grown. Notwithstanding any other provision of this subpart, no such certificate shall be issued with respect to any tobacco the handling of which is prohibited pursuant to this subpart.

(b) Any grower who is dissatisfied with any determination by the Control Committee, on his application for the issuance of a handling certificate, may file a protest with the Committee: *Provided,* That such protest is in writing and filed promptly. The grower may submit, with the protest, such evidence and supporting data and information as he deems appropriate to substantiate his protest and enable the Committee to reconsider the matter. Any such grower who is dissatisfied with the decision of the Control Committee in regard to his protest may appeal in writing to the Secretary. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the Committee from which the appeal was taken. The authority of the Secretary to supervise and control the issuance of handling certificates is unlimited and plenary; and any decision by the Secretary with respect to any handling certificate shall be final and conclusive.

§ 983.56 *Identification of tobacco covered by handling certification.* Each handler shall separately identify each quantity of tobacco covered by a handling certificate throughout the entire time he is handling such tobacco.

§ 983.57 *Exemption certificates.* (a) The Committee shall, subject to the approval of the Secretary, adopt the procedural rules to govern the issuance of exemption certificates.

(b) The Control Committee may issue certificates of exemption to any grower who applies for such exemption and furnishes proof, satisfactory to the Committee, that by reason of acts of God or other conditions beyond his control and reasonable expectation he will be prevented because of any regulation pursuant to this subpart from handling, or having handled, as large a proportion of his production of tobacco during the then current fiscal period as the estimated average proportion of production of tobacco permitted to be handled during such fiscal period. Each such exemption certificate shall permit the grower to handle, or have handled, a proportion of his production equal to the aforesaid estimated average proportion of production. The Committee shall maintain a record of all applications submitted for exemption certificates and shall maintain a record of all certificates issued, including the information used in determining in each instance the quantity of tobacco thus to be exempted, and a record of all exempted tobacco handled. Such additional information as the Secretary may require shall be in the record of the Committee. The Committee shall, from time to time, submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of tobacco thus exempted, and such additional information as may be requested by the Secretary.

(c) Any grower who is dissatisfied with any determination by the Control Committee on his application for the issuance of an exemption certificate may file a protest with the Committee: *Provided,* That such protest is in writing and filed promptly. The grower may submit, with the protest, such evidence and supporting data and information as he deems appropriate to substantiate his protest and enable the Committee to reconsider the matter. Any such grower who is dissatisfied with the decision of the Control Committee in regard to his protest may appeal in writing to the Secretary. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the Committee from which the appeal was taken. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary; and any decision by the Secretary with respect to any exemption certificate shall be final and conclusive.

(d) The Committee shall be permitted at any time to make a thorough investigation of any grower's or handler's claim pertaining to exemptions.

MISCELLANEOUS

§ 983.69 *Books and records.* (a) Each handler and each subsidiary and affiliate thereof shall keep such books and records as will clearly show the details of the respective person's handling of tobacco, including, but not being limited to, identification of the grower of the tobacco and the field in which produced, and which shall be available for examination upon request of the Secretary.

(b) Upon the request of the Committee made with the approval of the Secretary, each handler shall furnish to the Committee, in such manner and at such time as may be prescribed, such information as will enable the Committee to exercise its powers and perform its duties under this subpart.

§ 983.61 *Compliance.* Except as provided in this subpart, no handler shall handle tobacco the handling of which is prohibited pursuant to this subpart; and no handler shall handle tobacco except in conformity to the provisions of this subpart.

§ 983.62 *Right of the Secretary.* The members of the Committee, including successors and alternates thereof, and any agent or employee appointed or employed by the Committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, determination, decision, or other act of the Committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said Committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 983.63 *Amendment.* Amendments to this subpart may be proposed, from time to time, by the Committee or by the Secretary.

§ 983.64 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under this subpart and during the existence of this subpart.

§ 983.65 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 983.66 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 983.67 *Personal liability.* No member or alternate of the Committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever to any handler or to any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, agent, or employee, except for acts of dishonesty.

§ 983.68 *Separability.* If any provision of this subpart is declared invalid, or the applicability of this subpart to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof, to any other person, circumstance, or thing shall not be affected thereby.

§ 983.69 *Effective time.* The provisions of this subpart shall become effective at such time as the Secretary may declare above his signature attached to this subpart and shall continue in force until terminated in any of the ways specified in this subpart.

§ 983.70 *Termination.* (a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart, or regulations pursuant to this subpart, whenever he finds that such provisions or regulations do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of growers who, during the preceding fiscal period, have been engaged in the production of tobacco for market: *Provided*, That such majority has, during such period, produced for market more than fifty percent of the volume of such tobacco produced for market; but such termination shall be effective only if announced on or before January 31 of the then current fiscal period.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 983.71 *Proceedings after termination.* (a) Upon the termination of the provisions of this subpart, the then functioning members of the Committee shall continue as trustees (for the purpose of liquidating the affairs of the Committee) of all funds and the property then in the possession of, or under control of, the Committee, including claims for any funds unpaid, or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) Said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all funds and property on hand, together with all books and records of the Committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Committee or the trustees pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred, or delivered by the Committee or its members, pursuant to this section shall be subject to the same obligations imposed upon the members of the said Committee and upon the said trustees.

§ 983.72 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart, or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen, or which may thereafter arise, in connection with any provision of this subpart, or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart, or of any regulation issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary, or of any other person, with respect to any such violation.

§ 983.73 *Counterparts.* This agreement may be executed in multiple counterparts; and, when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.[1]

§ 983.74 *Additional parties.* After the effective date of this agreement, any handler who has not previously executed this agreement may become a party hereto if a counterpart hereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary; and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.[1]

§ 983.75 *Order with marketing agreement.* Each signatory handler favors and approves the issuance, by the Secretary, of an order regulating the handling of tobacco in the same manner as is provided for in this agreement; and each signatory handler hereby requests the Secretary to issue, pursuant to the act, such an order.[1]

Copies of this notice of hearing may be procured from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington, D. C., or may be there inspected.

Done at Washington, D. C., this 22d day of January 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-989; Filed, Jan. 24, 1952; 8:50 a. m.]

[1] Applicable only to the proposed marketing agreement.

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

JANUARY 11, 1952.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Nevada land district, embracing approximately 320 acres.

NEVADA SMALL TRACT CLASSIFICATION NO. 77

For lease and sale for homesites only:

T. 22 S., R. 61 E., M. D. M.,
Sec. 28, W½.

Leases for tracts in the W½W½W½ will not be issued until a supplemental plat has been prepared assigning tract numbers to the subdivisions.

The land is situated in Clark County, Nevada, 12 miles south of the City of Las Vegas, Nevada. Las Vegas is one of the largest towns in the State of Nevada and has all of the usual facilities, such as schools, churches, hospitals, business establishments, etc. The land is adjacent to the main Las Vegas-Los Angeles highway. It is in an area famous for recreational activities, and the climate is considered ideal from a winter resort standpoint. Summer temperatures are quite high.

2. As to applications regularly filed prior to 8:30 a. m., January 4, 1952, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. Lands in the E½W½ and E½W½-W½ will be leased in tracts of approximately 2½ acres, each being approximately 330 by 330 feet. Lands in the W½W½W½ will be leased in tracts of approximately 2½ acres, each being approximately 165 by 660 feet, the longer dimension extending east and west. These tracts will be subject to a 200-foot State Highway right-of-way along the west side.

6. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 5.

7. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of the several parcels as follows:

Sec. 28:	Per tract
W½W½W½W½	$100
E½W½W½W½	75
E½W½W½	75

Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

8. Leases will be subject to all existing rights-of-way and to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, county or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

9. All inquiries relating to these lands should be addressed to the Manager, Nevada Land and Survey Office, Reno, Nevada.

J. H. FAVORITE,
Acting Regional Administrator.

[F. R. Doc. 52-948; Filed, Jan. 24, 1952; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1839]

REPUBLIC LIGHT, HEAT AND POWER CO., INC.

NOTICE OF APPLICATION

JANUARY 21, 1952.

Take notice that Republic Light, Heat and Power Company, Inc. (Applicant) a New York corporation, of 220 Delaware Avenue, Buffalo 2, New York, filed on November 15, 1951, an application for an order pursuant to sections 7 and 16 of the Natural Gas Act directing Tennessee Gas Transmission Corporation (Tennessee) to furnish Applicant with an additional 1,000 Mcf of natural gas per day at the point of delivery on Applicant's system located in Chautauqua County, New York.

The application recites that Tennessee delivers to Applicant 600 Mcf of gas under a gas sales contract entered into between the parties of July 3, 1950, which gas sales contract is a part of Tennessee's FPC Gas Tariff, Original Volume No. 1, on file with the Commission.

The application further states that by order of April 18, 1951, the Commission permitted Applicant to intervene in the proceedings at Docket No. G-1573 for the purpose of showing that Applicant needed 1,000 Mcf of additional gas in order to meet the demands of its customers; that after hearing, the Commission issued its order in said Docket No. G-1573 issuing a certificate of public convenience and necessity to Tennessee conditioned, among other things, upon Tennessee making available to Applicant on a firm basis a maximum daily volume of 1,000 Mcf of gas in addition to the daily volume of 600 Mcf of gas which Tennessee was already authorized to deliver to Applicant, which additional 1,000 Mcf of gas was available from the unsold and unallocated additional capacity of 4,519 Mcf remaining from the 40,000 Mcf of gas per day additional capacity authorized Tennessee at Docket Nos. G-962 and G-1248.

The application further recites that by order of the Commission issued July 5, 1951, Tennessee was granted a rehearing of the Commission's order of June 1, 1951, at Docket Nos. G-1573 and G-1614, except, among other things, as to that part of said order of June 1, 1951, authorizing Tennessee to make available to Applicant a maximum volume of 1,000 Mcf of gas in addition to the 600 Mcf

of gas already being then delivered to Applicant; that after rehearing the Commission on August 27, 1951, issued its order in said Docket Nos. G-1573 and G-1614 modifying in part its previous order of June 1, 1951, but not with respect to the condition in said order pertaining to the additional delivery of 1,000 Mcf of gas to Applicant; and that on October 1, 1951, Applicant received from Tennessee a copy of a letter addressed to the Commission dated September 25, 1951, in which letter Tennessee advised the Commission that it could not accept the certificate issued it in the Commission's order of August 27, 1951.

The application further recites that since October 1, 1951, Tennessee has on four separate occasions refused to deliver to Applicant the 1,000 Mcf of additional gas, and that since the date when Applicant first requested the increased delivery of 1,000 Mcf of gas daily from Tennessee, nothing has occurred to lessen the necessity for receiving said volume of gas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of February 1952. The application is on file with the Federal Power Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-968; Filed, Jan. 24, 1952; 8:48 a. m.]

[Docket No. G-1872]

COLORADO INTERSTATE GAS CO.

NOTICE OF APPLICATION

JANUARY 21, 1952.

Take notice that on January 9, 1952, Colorado Interstate Gas Company (Applicant), a Delaware corporation with its principal place of business at Colorado Springs, Colorado, filed an application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity, authorizing construction and operation of certain natural-gas transmission facilities as hereinafter set forth.

Applicant seeks authorization to construct and operate two lateral lines, approximately 4 miles in length, to connect gas wells located in the Keyes and the South Keyes Field, Cimarron County, Oklahoma, to Applicant's new 20-inch main Panhandle-Kit Carson transmission pipe line. The total cost of said facilities is approximately $112,851. In addition, Applicant plans to construct certain facilities in each of the fields at a cost of $112,780. The addition of all of these facilities to Applicant's system will provide initially 10,000 Mcf of additional natural gas per day. Applicant states that the project is solely to augment Applicant's gas supply, and that no new customers are to be served from the facilities for which authorization is requested in its application.

Applicant requests that its application be heard under the shortened procedure provided by the Commission's rules. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-969; Filed, Jan. 24, 1952; 8:48 a. m.]

[Docket No. G-1873]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

JANUARY 21, 1952.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware Corporation with its principal place of business at Shreveport, Louisiana, filed on January 9, 1952, an application pursuant to section 7 of the National Gas Act, as amended, for permission and approval to abandon service to Southern Natural Gas Company under Applicant's Rate Schedule FPC No. 87 to the extent necessary in order that a new gas sales contract dated May 7, 1951, and a new gas transportation contract of the same date between Applicant and Southern Natural Gas Company involving gas from Carthage Field, Texas, may be accepted by the Commission for filing and allowed to become effective at the earliest possible date.

Applicant asks that its application be considered under the shortened procedure provided by the Commission's rules. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-970; Filed, Jan. 24, 1952; 8:48 a. m.]

[Docket No. G-1874]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

JANUARY 21, 1952.

Take notice that Cities Service Gas Company (Applicant), a Delaware corporation, address, Oklahoma City, Oklahoma, filed on January 14, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 15.4 miles of 20-inch natural-gas pipe line to replace an existing 16-inch pipe line extending easterly from Applicant's Grabham Compressor Station, and the addition of 340 horsepower to Applicant's Welch Compressor Station in Craig County, Oklahoma and 1020 horsepower to Applicant's Pierce City Compressor Station in Lawrence County, Missouri.

Applicant proposes to utilize said facilities to provide increased capacity to meet increasing firm demands upon its Southern Trunk Line and its Quapaw-Springfield Line.

The estimated total over-all net capital addition of the proposed installation is $754,800 which Applicant proposes to pay for out of funds from its treasury.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-971; Filed, Jan. 24, 1952; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26717]

COTTON PIECE GOODS AND RELATED ARTICLES FROM, TO AND BETWEEN POINTS IN THE SOUTHWEST

APPLICATION FOR RELIEF

JANUARY 22, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariffs I. C. C. Nos. 3987 and 3988.

Commodities involved: Cotton piece goods, including blankets, towels, etc., carloads and less-than-carloads.

Between points in southwestern territory and between points in that territory, on the one hand, and points in southern territory, and adjacent territories, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3988, Supp. 13; F. C. Kratzmeir's tariff I. C. C. No. 3987, Supp. 17.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-960; Filed, Jan. 24, 1952; 8:47 a. m.]

[4th Sec. Application 26718]

FISH MEAL FROM EMPIRE AND LAKE CHARLES, LA., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

JANUARY 22, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3906.

Commodities involved: Fish meal, fish roe meal, or fish scrap, dried meat scraps, feeding tankage, blood bone, and meat meal, carloads.

From: Empire and Lake Charles, La.

To: Specified points in southern territory.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3906, Supp. 92.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-961; Filed, Jan. 24, 1952; 8:47 a. m.]

[4th Sec. Application 26719]

CLASS RATES AND RATES ON IRON AND STEEL ARTICLES FROM AND TO COLORADO POINTS

APPLICATION FOR RELIEF

JANUARY 22, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3811.

Commodities involved: Class rates, and commodity rates on iron and steel articles.

Between Rocky (Jefferson County), Plastic and Leyden Jct., Colo., on the one hand, and points in western trunkline territory and adjacent territories, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: L. E. Kipps' tariff I. C. C. No. A-3811, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-962; Filed, Jan. 24, 1952; 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[RC 29; No. 123]

LANCASTER, CALIF., AREA

SUBJECT: DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 24, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Lancaster, California, Area. The area consists of Antelope Township in Los Angeles County and Judicial Township 11 in Kern County, California.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 52-1093; Filed, Jan. 24, 1952; 10:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 59-12, 54-168]

AMERICAN POWER & LIGHT CO. AND ELECTRIC BOND AND SHARE CO.

MEMORANDUM OPINION, NOTICE OF AND ORDER FOR HEARING WITH RESPECT TO FEASIBILITY OF PROPOSED SALE OF STOCK OF WASHINGTON WATER POWER COMPANY AND HEARING WITH RESPECT TO PLAN FOR DISTRIBUTION OF SUCH STOCK

JANUARY 18, 1952.

The Commission issued an order on August 22, 1942, directing, among other things, that the existence of American Power & Light Company ("American"), a registered holding company, be terminated and that it be dissolved.

American consummated on February 15, 1950, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, a plan providing, among other things, for the distribution of most of the assets of American to its stockholders and for the reclassification of its stock into shares of a single class of capital stock.

As a result of such plan and certain sales prior to the consummation date of the plan, the remaining assets of American consisted of the common stock of the Washington Water Power Company ("Washington Company"), the common stock of Portland Gas & Coke Company, and the securities of an inactive nonutility company. As of December 31, 1951, a recapitalization plan with respect to Portland Gas & Coke Company was consummated whereby American obtained 10 percent of the reclassified common stock of such company.

In February 1951, American filed a notice of intention with the Commission, pursuant to Rule U-44 (c), of a proposed sale of the Washington Company common stock to Public Utility Districts of the State of Washington whereby American would receive cash and U. S. Government bonds in an amount which would yield it between $56,000,000 and $61,000,000 for its equity. On February 26, 1951, the Commission announced that the four participating Commissioners were evenly divided on the question whether, on the basis of the notice then filed, a declaration should be required and, in view of such division of the vote, the Commission could not give the notice as specified in Rule U-44 (c) (1) that a declaration should be filed. On that same date, and before the proposed transaction could be consummated, the transaction was enjoined by the Superior Court of the State of Washington. No appeal was taken from the final order of the Court prohibiting the acquisition by the Public Utility Districts as then proposed.

As at November 29, 1951, American distributed, pursuant to a section 11 (e) plan, $2 per share to the holders of its capital stock. In connection with that plan, the Commission in its findings and opinion dated October 15, 1951 (Holding Company Act Release No. 10820) indicated that there should be no delay in distributing to the stockholders of American the common stock of the

Washington Company if a sale were not effected, and ordered American to file with the Commission within 20 days thereof a plan providing for the distribution of the Washington Company stock promptly after January 1, 1952, in the event American had not filed by that date, a notification of sale of the Washington Company stock pursuant to Rule U-44 (c).

On November 5, 1951, American filed a plan pursuant to section 11 (e) of the act proposing the distribution to its stockholders of the common stock of the Washington Company provided, however, that the effectuation of the plan was subject to the condition, among others, that American should not have filed with the Commission on or by January 1, 1952, a notification of the proposed sale by American of the Washington Company common stock. On December 26, 1951, American filed a notice, pursuant to Rule U-44 (c), notifying the Commission of American's intention to sell, as soon as practicable, all of its holdings of the common stock of the Washington Company to certain named Public Utility Districts of the State of Washington, which districts will, either simultaneously or shortly thereafter, effect a partial distribution of the property of Washington, and will transfer the said stock representing the remaining properties to a "non-profit" corporation in trust for ultimate disposition by sale or gift. At the request of the Commission, American has agreed to extend the time within which the Commission may take action as provided in Rule U-44 (c) to the close of business on January 18, 1952.

The Commission has accorded an opportunity for informal presentation of views by those favoring as well as those opposing the proposed transaction. Apart from other objections which have been urged in opposition to the proposed transactions, there appears to be a serious doubt whether it is capable of reasonably expeditious consummation. Furthermore, there is a risk that, if American should endeavor to consummate the transaction, the ensuing litigation, which has been threatened, would not only block timely divestment of the Washington Company stock in the manner now proposed, but would impede and delay the accomplishment of divestment by any other method, including distribution to American's stockholders. This would frustrate our paramount statutory obligation to achieve compliance with section 11 (b) of the act as soon as practicable, and to that end to secure complete compliance with the Commission's order of August 22, 1942.

Notice is therefore given that the Commission, pursuant to the provisions of Rule U-44 (c), has determined that American should file a declaration with respect to the proposed sale of the common stock of the Washington Company and that, pursuant to the provisions of the notice given by American to the Commission with respect to such sale dated December 26, 1951, said notice is hereby treated as American's declaration with respect to the proposed transaction.

It is hereby ordered, That a hearing shall be held upon such declaration, together with a hearing to determine whether the terms and provisions for the distribution of the Washington Company stock set forth in the plan filed by American on November 5, 1951 (see Holding Company Act Release No. 10919) are fair and equitable and may appropriately be approved by the Commission as a plan pursuant to section 11 (d) of the act.

It is further ordered, That the hearing shall be limited initially to determining whether the terms and provisions of the section 11 (e) plan filed by American on November 5, 1951, or any amendment thereto, should be approved in the event that the declaration pursuant to Rule U-44 (c) is not permitted to become effective, and whether said declaration should be denied effectiveness as not presenting a transaction susceptible of reasonably prompt consummation. Any other questions presented by said declaration are reserved.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing to be held on January 28, 1952, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. The officer hereinabove designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

It is further ordered, That notice of this hearing be given by registered mail to American, that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list for releases under the Act, and that further notice shall be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission (Commissioner Rowen dissenting).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-956; Filed, Jan. 24, 1952; 8:46 a. m.]

[File No. 70-2677]

ALABAMA POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION HERETOFORE RESERVED OVER CERTAIN FEES AND EXPENSES FOR SERVICES IN CONNECTION WITH ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

JANUARY 21, 1952.

Alabama Power Company ("Alabama"), a subsidiary of the Southern Company ("Southern"), a registered holding company, having heretofore filed with this Commission an application-declaration and amendments thereto with respect to the issuance and sale by Alabama, at competitive bidding, of $15,000,000 principal amount of First Mortgage Bonds and the transfer of $7,500,000 from the earned surplus account of Alabama to its common stock stated capital account; the Commission, by orders issued August 31, 1951, and September 12, 1951, having granted the application and permitted the declaration to become effective subject to certain terms and conditions including a reservation of jurisdiction over fees and expenses proposed to be paid by Alabama to Southern Services, Inc., Arthur Andersen & Co., and Haskins & Sells, the amounts of these fees and expenses being as follows: (a) Southern Services, Inc., fee $4,420.90; (b) Arthur Andersen & Co., for accounting services, $13,285 fee and $2,100 expenses; and (c) Haskins & Sells, for accounting services, $900 fee and $50 expenses.

The record having been completed with respect to such requests for fees and expenses, and the Commission having considered the record as so completed and having concluded that said fees and expenses in the amounts requested are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved herein with respect to these fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-955; Filed, Jan. 24, 1952; 8:46 a. m.]

[File No. 70-2777]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE REGARDING SALE AND ACQUISITION OF GAS UTILITY PROPERTY BETWEEN AFFILIATES

JANUARY 21, 1952.

In the matter of the Columbia Gas System, Inc., United Fuel Gas Company, the Manufacturers Light and Heat Company; File No. 70-2777.

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and two of its gas utility subsidiary companies, namely, United Fuel Gas Company ("United Fuel") and the Manufacturers Light and Heat Company ("Manufacturers"), have filed a joint application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935. Sections 6, 9 and 10 of the act and Rules U-43 and U-44 promulgated thereunder have been designated as being applicable to the proposed transactions.

All interested persons are referred to said joint application-declaration which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

United Fuel proposes to sell and Manufacturers proposes to acquire certain property located in Gilmer and Marshall Counties, West Virginia, consisting principally of pipe lines, and a compressor station, with all appurtenant structures and facilities, located in Wetzel County, West Virginia. The price to be paid by

Manufacturers for all of the said property which it proposes to acquire from United Fuel will be the book value (at original cost) less the book reserves for depreciation computed to the date of transfer. It is estimated that computed as of November 30, 1951, the purchase price would be $3,065,980.

The compressor station is presently owned by the United States Steel Company (formerly known as Carnegie-Illinois Steel Corporation) but was originally constructed by United Fuel for said company, and has been operated by United Fuel at its own expense since the date of completion. United Fuel now proposes to purchase said compressor station, together with all appurtenant structures and facilities, pursuant to the terms of an agreement dated September 25, 1941, between United Fuel and Carnegie-Illinois Steel Corporation (presently known as United States Steel Company) on the basis of original cost less accrued depreciation, or a price of $163,029.36 computed as of November 30, 1951.

Manufacturers proposes to finance the proposed purchase of the aforesaid property by assuming $3,000,000 principal amount of 3¼ percent Notes owed by United Fuel to Columbia and by paying in cash to United Fuel the balance of the purchase price.

It is represented that the above transactions are proposed because the facilities are used primarily for the transportation of gas to Manufacturers, and to effect certain economies and efficiency of operations, since Manufacturers has other operations in close proximity to the said facilities it proposes to purchase.

It is stated that the Public Service Commission of West Virginia has jurisdiction over the sale of property by United Fuel to Manufacturers and the acquisition thereof by Manufacturers; that the Public Utility Commission of Pennsylvania has jurisdiction over the assumption by Manufacturers of the liability for 3¼ percent Notes of United Fuel; and that the Federal Power Commission has jurisdiction over the sale by United Fuel and the acquisition by Manufacturers of the utility facilities described herein.

Notice is further given that any interested person may, not later than January 30, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 30, 1952, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-957; Filed, Jan. 24, 1952; 8:46 a. m.]

[File No. 70-2781]

NEW JERSEY POWER & LIGHT CO.

NOTICE OF REQUEST FOR AUTHORITY TO ISSUE SHORT-TERM NOTES IN EXCESS OF FIVE PERCENT LIMITATION

JANUARY 21, 1952.

Notice is hereby given that New Jersey Power & Light Company ("the company"), an electric utility subsidiary of General Public Utilities Corporation, a registered holding company, has filed an application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("the act"), and has designated section 6 (b) of the act and Rule U-23 thereunder as applicable to the proposed transactions, which are summarized as follows:

The company proposes to issue and sell, or renew, from time to time, its unsecured short-term notes to one or more banks, in the aggregate principal amount (including unsecured notes now outstanding in the aggregate principal amount of $1,645,000, or any renewal thereof or any notes issued to refund same) not exceeding $3,545,000. Each of such notes will bear interest at the prime interest rate (now 3 percent per annum) at the date of issue (but not in excess of 3½ percent per annum), will mature not more than nine months, exclusive of days of grace, after the issue or renewal thereof, and will not be issued or renewed later than September 1, 1952.

The company states that, pursuant to the provisions of section 6 (b) of the act, it may, without action by the Commission, issue short-term notes aggregating $1,645,000, such amount being 5 percent of the principal amount and par value of its other securities now outstanding; that under its charter, the company may, without obtaining the prior consent of its preferred stockholders, issue securities representing unsecured indebtedness up to 10 percent of its secured indebtedness, capital stock and surplus, or $3,553,038 as at November 30, 1951; that by this application the company seeks Commission approval to issue short-term securities representing unsecured indebtedness up to the approximate limit of the 10 percent charter provision aforesaid.

The company further states that the proposed short-term financing is required in connection with its construction program; that it is temporarily postponing further long-term financing until judicial disposition of a pending proceeding for increase in its rates of service; that it will pay the unsecured short-term notes for the issuance of which authority is sought herein, out of the proceeds of long-term financing which it contemplates effecting during 1952; that the proposed short-term financing is not within the jurisdiction of the State regulatory commission; that there will be no underwriting fees, commission or spread; that the estimated expenses will be supplied by amendment.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than February 5, 1952, at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application-declaration as amended may be granted and permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-954; Filed, Jan. 24, 1952; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

GO 14—JURISDICTION OVER PAYMENTS AND OBLIGATIONS CONCERNING FRESH ALASKA SALMON

Sec.
1. Purpose.
2. Legal basis.
3. Delegation of authority.
4. Effect on other orders.

SECTION 1. *Purpose.* Pursuant to the authority to make recommendations on stabilization policy under General Order Nos. 2 and 3, the Director of Price Stabilization and the Wage Stabilization Board, after consultation, have jointly recommended to the Economic Stabilization Administrator that the Wage Stabilization Board shall have sole jurisdiction to stabilize wages, prices, and related compensation and other obligations with respect to the catch and disposition of fresh Alaska salmon delivered to canneries. This joint recommendation is based upon the practices and unique characteristics of the Alaska salmon industry with respect to fresh Alaska salmon. This General Order adopts this joint recommendation in order to facilitate administration of the authority granted to the Economic Stabilization Administrator over price and wage stabilization. It is not intended, however, to define obligations of any person under other laws of the United States.

SEC. 2. *Legal basis.* The basic authority for this order is contained in Title IV of the Defense Production Act, as amended (Pub. Law. 774, 81st Cong.; Pub. Law 96, 82d Cong.). This authority is implemented by Executive Order 10161, as amended, and particularly Parts IV and IX of that order.

SEC. 3. *Delegation of authority.* The powers, duties and functions conferred by Title IV of the Defense Production Act, as amended, and delegated to the Economic Stabilization Administrator by Executive Order 10161, as amended, applicable to stabilization of wages, prices, and related compensation and other obligation for the catch and disposition of fresh Alaska salmon delivered to canneries are, subject to the supervision and direction of the Economic Stabilization Administrator, redelegated to the Wage Stabilization Board. This redelegated authority shall be exercised in accordance with the stabilization policies of the Economic Stabilization Administrator.

SEC. 4. *Effect on other orders.* All other orders or parts of orders, and particularly General Order No. 2 and General Order No. 3, the provisions of which are inconsistent or in conflict with the provisions of this order, are hereby amended or superseded accordingly.

ROGER L. PUTNAM,
Administrator.

JANUARY 23, 1952.

[F. R. Doc. 52-1044; Filed, Jan. 23, 1952; 4:30 p. m.]

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 794, Amdt. 1]

HUFFMAN MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 794 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 794 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of power lawnmowers manufactured or distributed by The Huffman Manufacturing Company having the brand name(s) "Huffy Mower" and described in the manufacturer's application dated October 23, 1951, and supplemented and amended by the manufacturer's application(s) dated December 6, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Different ceiling prices are established for eastern and western zones. The western zone is comprised of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the county of El Paso in the State of Texas. The eastern zone includes the remainder of the United States and the District of Columbia.

Style No.	Ceiling price at retail, eastern zone [1] (per unit)	Ceiling price at retail, western zone [1] (per unit)
52-16	$68.25	$63.75
52-18	69.25	74.75

[1] These prices include excise tax.

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers*—(a) *Notices to be given by applicant*—(1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).*—(1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective January 22, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 22, 1952.

[F. R. Doc. 52-967; Filed, Jan. 22, 1952; 12:15 p. m.]

[Ceiling Price Regulation 34, Section 20 (c) Special Order 6]

PRICES FOR CANNED PRODUCTS BROKERAGE SERVICES RENDERED TO RICHMOND-CHASE COMPANY, SAN JOSE CALIFORNIA

Statement of considerations. The ceiling price for brokerage services supplied to Richmond-Chase Co., P. O. Box 1030, San Jose, California, by its brokers on sales of canned spinach, canned tomatoes, canned tomato junce and canned tomato products is adjusted by this Special Order pursuant to section 20 (c) of Ceiling Price Regulation 34, as amended.

The ceiling price for brokerage services supplied to Richmond-Chase Company, San Jose, California, by its brokers is adjusted by this Special Order pursuant to section 20 (c) of Ceiling Price Regulation 34, as amended. This section authorizes the Director of Price Stabilization to adjust ceiling prices paid by a purchaser of non-retail services if: his sellers are too numerous to make recourse to section 20 (b) of Ceiling Price Regulation 34 practicable; they are threatening to discontinue supplying him with such services; he agrees to absorb his sellers' price increase above the ceiling; and he will pay for those services no more than he would be required to pay other suppliers for the same service.

It appears from the information submitted in the application of Richmond-Chase Company, San Jose, California, that the sellers of this service are too numerous to make recourse to paragraph 20 (b) of Ceiling Price Regulation 34 practicable. It further appears that the sellers of this service will be forced to discontinue supplying this company with this service if their rates are not increased. The application indicates that Richmond-Chase Co. agrees to absorb the increased charges of its such sellers; that the charges established herein do not exceed the amount which it would be required to pay other suppliers for the same service; and that such increased charges will not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 20 (c) of Ceiling Price Regulation 34, as amended, this Special Order is hereby issued.

1. On and after the effective date of this Special Order, the ceiling price for brokerage services supplied on sales of canned spinach, canned tomatoes,

canned tomato juice and canned tomato products to Richmond-Chase Company, San Jose, California, by the following firms shall be 2½ percent, such percentage figured on the invoice value as customarily computed by it (for the purpose of figuring brokerage) during the base period December 19, 1950 to January 25, 1951, inclusive:

A. M. Beebe Co., San Francisco, Calif.
Bessemyer-Ridnour Co., Los Angeles, Calif.
Brinker & Bernsdorf, Columbus, Ohio.
Carr-O'Neill Brokerage Co., Billings, Mont.
Carr-O'Neill Brokerage Co., Butte, Mont.
Hinman Chavoustie Co., Albany, N. Y.
Hinman Chavoustie Co., Syracuse, N. Y.
Hinman Chavoustie Co., Utica, N. Y.
H. O. Clancy, Grand Rapids, Mich.
Clark-Thurber Brokerage Co., Denver, Colo.
Colvin-Schlick Co., Milwaukee, Wis.
Harlan F. Crispin Co., Des Moines, Iowa.
Crispin & McDowell, Waterloo, Iowa.
Donelson & Poston, Memphis, Tenn.
Dudley & Weisl, Inc., Boston, Mass.
Dudley & Weisl, Inc., New York, N. Y.
Elliott-Roberts & Co., Indianapolis, Ind.
Howard Fenton Co., Toledo, Ohio.
James Fenwick Co., Portland, Oreg.
Fischer Brokerage Co., St. Louis, Mo.
Florida Food Sales, Jacksonville, Fla.
Florida Food Sales, Miami, Fla.
Florida Food Sales of Tampa, Tampa, Fla.
B. J. Foley Brokerage Co., Omaha, Nebr.
Fraering Brokerage Co., Alexandria, La.
Fraering Brokerage Co., New Orleans, La.
Frank C. Glueck & Co., Cincinnati, Ohio.
Godfrey Brokerage Co., Charleston, W. Va.
Gulf Coast Brokerage Co., Pensacola, Fla.
Hancock & Daub, Pittsburgh, Pa.
Harold Brokerage Co., Phoenix, Ariz.
Mark R. Hurd, Peoria, Ill.
Howard J. Jones, Erie, Pa.
Kelly-Clarke Co., Seattle, Wash.
Koehler-Spalding Co., Louisville, Ky.
C. L. Kraft & Co., Dayton, Ohio.
The Paul E. Kroehle Co., Cleveland, Ohio.
Walter Leaman Co., Washington, D. C.
Leatherman Brokerage Co., Oklahoma City, Okla.
Loeb-Apte Co., Atlanta, Ga.
McCarty Brokerage Co., Corpus Christi, Tex.
McCarty Brokerage Co., San Antonio, Tex.
S. J. McKinney Co., Greenville, S. C.
Moore Sales Co., Richmond, Va.
W. M. Meador & Co., Mobile, Ala.
Munn & Blackburn, Altoona, Pa.
O'Connor-Thompson Brokerage Co., Kansas City, Kans.
Oliver-Taylor Bell Co., Houston, Tex.
Pearling Brokerage Co., Duluth, Minn.
Penn Sales Co., Baltimore, Md.
Perry Sales Co., Birmingham, Ala.
Jim S. Porter Co., Little Rock, Ark.
Remmes-Bredenberg Co., Buffalo, N. Y.
Shiver & Norcom Co., Charlotte, N. C.
Smith-Flemming, Inc., Minneapolis, Minn.
Charles K. Stone Co., Detroit, Mich.
George B. Sylvester Co., Wichita, Kans.
Taft & Co., Salt Lake City, Utah.
Taylor & Atmore, Inc., Philadelphia, Pa.
Tucker-Humphry, Inc., Evansville, Ind.
The Turnbull Co., Lexington, Ky.
Franklin M. Vees Co., Nashville, Tenn.
James A. Weaver Co., Lancaster, Pa.
Western States Sales Co., El Paso, Tex.
Whitson-Bowen Co., Dallas, Tex.
Whitson-Bowen Co., Fort Worth, Tex.
Luman R. Wing & Co., Chicago, Ill.
R. P. Woodson, Jr., Albuquerque, N. Mex.

2. All provisions of Ceiling Price Regulation 34, as amended, (including the filing requirements of section 18 (c)) except as changed by the pricing provisions of this Special Order shall remain in effect.

3. This Special Order or any provision thereof may be revoked, suspended or amended, by the Director of Price Stabilization at any time.

4. Richmond-Chase Company shall deliver a copy of this Special Order to each broker listed in Paragraph numbered one above, such delivery to be made in each case with or prior to the rendering of the service by each such broker after the effective date of this Special Order.

Effective date. This order shall become effective January 22, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 21, 1952.

[F. R. Doc. 52-945; Filed, Jan. 21, 1952; 4:52 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 11]

GENERAL MOTORS CORPORATION

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 7 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the General Motors Corporation. Subsequent to the issuance of Special Order 7 the manufacturer's prices to dealers were increased following an increase in wholesale ceiling prices pursuant to Ceiling Price Regulation 1, Revision 1, Supplementary Regulation 1. This order is accordingly issued to establish sellers' prices and charges which will reflect increased costs to dealers and markups thereon, and is applicable to 1952 models of the passenger automobiles manufactured by General Motors Corporation. The provisions of Special Order 7 remain in effect as to 1951 models.

For the purpose of clarifying the meaning of "standard equipment" which is included in the basic price of the automobile, an appendix has been added to this order showing the items of equipment which are standard on automobiles manufactured by the General Motors Corporation.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83 this Special Order 11 is hereby issued.

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of 1952 model automobiles manufactured by the General Motors Corporation, for the several body styles in each line or series of the various makes, are as follows:

CHEVROLET PASSENGER AUTOMOBILES

Styleline series:	
2-door Sedan, Special	$1,482.11
4-door Sedan, Special	1,533.03
Business Coupe, Special	1,402.92
Sport Coupe, Special	1,487.77
2-door Sedan, Deluxe	1,566.96
4-door Sedan, Deluxe	1,617.94
Station Wagon, Deluxe	2,115.67
Sport Coupe, Deluxe	1,583.94
Convertible Coupe, Deluxe	1,957.30
Bel Air Coupe, Deluxe	1,844.16

CHEVROLET PASSENGER AUTOMOBILES—Con.

Fleetline series:	
2-door Sedan, Special	$1,482.11
4-door Sedan, Special	1,533.03
2-door Sedan, Deluxe	1,566.96
4-door Sedan, Deluxe	1,617.94
Commercial series:	
Suburban, panel door	1,804.56
Suburban, end gate	1,804.56

PONTIAC PASSENGER AUTOMOBILES

Standard 6-cylinder series:	
Business Coupe, Chieftain	$1,643.54
Sedan Coupe, Chieftain	1,775.06
2-door Sedan, Chieftain	1,775.06
4-door Sedan, Chieftain	1,828.95
Sedan Coupe, Streamliner	1,752.50
Station Wagon	2,383.24
Deluxe 6-cylinder series:	
Sedan Coupe, Chieftain	1,871.26
Convertible Coupe, Chieftain	2,225.54
Catalina, Chieftain	2,096.60
Super Catalina, Chieftain	2,158.27
2-door Sedan, Chieftain	1,871.26
4-door Sedan, Chieftain	1,925.11
Sedan Coupe, Streamliner	1,848.81
Station Wagon	2,460.99
Standard 8-cylinder series:	
Business Coupe, Chieftain	1,713.35
Sedan Coupe, Chieftain	1,844.63
2-door Sedan, Chieftain	1,844.63
4-door Sedan, Chieftain	1,898.40
Sedan Coupe, Streamliner	1,822.18
Station Wagon	2,451.64
Deluxe 8-cylinder series:	
Sedan Coupe, Chieftain	1,940.78
Convertible Coupe, Chieftain	2,294.48
Catalina, Chieftain	2,165.77
Super Catalina, Chieftain	2,227.32
2-door Sedan, Chieftain	1,940.78
4-door Sedan, Chieftain	1,994.58
Sedan Coupe, Streamliner	1,918.41
Station Wagon	2,529.52

OLDSMOBILE PASSENGER AUTOMOBILES

88 series:	
4-door Sedan	$2,085.17
2-door Sedan	2,022.84
4-door Sedan, Deluxe	2,110.25
2-door Sedan, Deluxe	2,050.23
Super 88 deluxe series:	
4-door Sedan	2,234.94
2-door Sedan	2,172.94
2-door Club Coupe	2,126.96
Holiday Coupe	2,430.16
Convertible Coupe	2,595.12
98 series:	
Holiday Coupe	2,521.49
4-door Sedan, Deluxe	2,532.81
Holiday Coupe, Deluxe	2,750.11
Holiday Coupe, Deluxe, without hydraulic controls	2,650.28
Convertible Coupe, Deluxe	2,940.77

BUICK PASSENGER AUTOMOBILES

40 series:	
41 4-door Sedan	$2,004.92
41D 4-door Sedan, Deluxe	2,048.14
45R 2-door Riviera Coupe	2,085.95
46 2-door Business Coupe	1,864.48
46C 2-door Convertible Coupe	2,399.22
46S 2-door Sedanet	1,918.50
48 2-door Sedan	1,950.91
48D 2-door Deluxe Sedan	1,994.13
50 series:	
51 4-door Sedan	2,245.28
52 4-door Riviera Sedan	2,323.16
56C 2-door Convertible Coupe	2,605.38
56R 2-door Riviera Coupe	2,244.16
56S 2-door Sedanet	2,140.29
59 4-door Estate Wagon	3,000.47
70 series:	
72R 4-door Deluxe Riviera Sedan	2,898.88
76C 2-door Convertible Coupe	3,130.29
76MR 2-door Riviera Coupe, without hydraulic controls	2,905.18
76R 2-door Riviera Coupe	2,994.83
79R 4-door Deluxe Estate Wagon	3,015.70

CADILLAC PASSENGER AUTOMOBILES

61 series:	
Sport Coupe	$2,894.67
Touring Sedan	3,006.45
62 series:	
Special Sport Coupe	3,308.20
Coupe DeVille	3,704.97
Convertible Coupe	3,844.68
Touring Sedan	3,397.70
60 series:	
Touring Sedan	3,984.38
75 series:	
Touring Sedan, 7-passenger	5,003.89
Imperial Sedan, 7-passenger	5,204.94
Business Sedan, 9-passenger	4,747.00

GMC SUBURBAN PASSENGER AUTOMOBILE

GMC Suburban	$1,826.16

2. The charges established below for factory installed extra, special and optional equipment on Pontiac, Oldsmobile and Cadillac automobiles include all charges for excise, overhead and handling (EOH). Charges for factory installed extra, special and optional equipment established below for other makes of automobiles do not include a charge for excise, overhead and handling (EOH). Retail and wholesale sellers will use the following charges in determining the ceiling prices of 1952 model automobiles manufactured by the General Motors Corporation:

CHEVROLET PASSENGER AUTOMOBILES

Air cleaner, oil bath (No. 216C) (all lines or series except Suburban)	$2.28
Air cleaner, oil bath (No. 216F) (all lines or series except Suburban)	5.65
Air cleaner, oil bath (No. 216G) (Suburban only)	3.99
Air cleaner, oil bath (No. 216H) (Suburban only)	5.13
Clutch, heavy duty (all lines or series except Suburban)	3.54
Clutch, heavy duty (Suburban only)	3.54
Fuel and vacuum pump (Suburban only)	9.11
Fuel and vacuum pump booster (all lines or series except Suburban)	9.11
Generator (40 ampere) (all lines or series)	6.27
Generator (55 ampere) (Suburban only)	74.09
Glass E/Z Eye (all except Suburban)	35.00
Governor equipment (all lines or series)	6.38
Lamp, dual tail (Suburban only)	7.99
Lamp, dual tail (Station Wagon only)	7.99
Mirror, rear view (Suburban only)	3.71
Oil filter (237 A-D) (all lines or series except Suburban)	10.65
Oil filter (237 F) (Suburban only)	11.41
Oil filter (237 G) (Suburban only)	8.33
Paint, two-tone (production colors) (Styleline, except convertible, Bel Air and Station Wagon)	10.65
Paint, two-tone (production colors) (Bel Air only)	10.65
Power glide (automatic transmission) (all DeLuxe)	165.00
Shock absorber shield (Suburban only)	1.71
Spring, heavy duty, rear (all lines or series except Suburban)	3.54
Spring, heavy duty, rear (Suburban only)	7.41
Tires, set of 5, 15" 6 ply (Suburban only)	102.57
Tires, set of 5, 6.50 x 16, 6 ply Suburban only)	37.62
Tires, set of 3, 6.50 x 16, 6 ply (Suburban only)	22.80
Tires, set of 5, 7.10 x 15, 4 ply (Convertible only)	15.96

CHEVROLET PASSENGER AUTOMOBILES—Con.

Tires, set of 5, 6.70 x 15, 6 ply (all lines or series except Station Wagon and Suburban)	$35.33
Tires, set of 5, 6.70 x 15, 6 ply (Suburban only)	13.67
Tires, set of 5, 7.50 x 15, 8 ply (Suburban only)	170.97
Tires, set of 5, 6.70 x 15, 4 ply (White Sidewall (all except Convertible and Suburban)	23.94
Transmission, heavy duty (all lines or series except Suburban	4.96
Transmission, four speed (Suburban only)	45.58

PONTIAC PASSENGER AUTOMOBILES

Accessory group, Appearance (all DeLuxe except Station Wagon)-(includes exhaust deflector; lighted hood ornament; rear fender shields; NoMar)	$27.30
Accessory group, Appearance (DeLuxe Station Wagon) (includes exhaust deflector; lighted hood ornament; chrome wheel discs; rear fender shields)	39.29
Accessory group, Appearance (Standard Station Wagon) (includes exhaust deflectors; lighted hood ornament; DeLuxe steering wheel; chrome wheel discs; rear fender shields	45.83
Accessory group, Appearance (all standard except Station Wagon) (includes exhaust deflector; lighted hood ornament; DeLuxe steering wheel; chrome wheel discs; rear fender shields; NoMar)	48.55
Accessory group, Basic (all lines and series) (includes undercoat heater and defroster; radio and 63-inch antenna; directional signal; back-up lamp; rear view nonglare mirror)	193.53
Accessory group, Comfort (Convertible Coupe) (includes windshield washer; latex foam cushions)	35.37
Accessory group, Comfort (all lines or series except Convertible Coupe, and Station Wagon) (includes windshield sun visor and viewer; windshield washer; latex foam cushions)	57.74
Accessory group, Comfort (Station Wagon) (includes windshield sun visor and viewer; windshield washer; latex foam cushions)	70.50
Accessory group, convenience (Convertible Coupe) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; ash tray and floor lamp; hand brake signal)	20.16
Accessory group, Convenience (Convertible Coupe) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; ash tray and floor lamp)	16.20
Accessory group, Convenience (DeLuxe Station Wagon) (includes glove box lamp; visor vanity mirror; underhood lamp; outside rear view mirror; ash tray and floor lamp; hand brake signal)	21.20
Accessory group, Convenience (DeLuxe Station Wagon) (includes glove box lamp; visor vanity mirror; underhood lamp; outside rear view mirror; ash tray and floor lamp)	17.24
Accessory group, Convenience (all DeLuxe except Convertible Coupe and Station Wagon) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; outside rear view mirror; ash tray and floor lamp; hand brake signal)	23.53

PONTIAC PASSENGER AUTOMOBILES—Continued

Accessory group, Convenience (all DeLuxe except Convertible Coupe and Station Wagon) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; outside rear view mirror; ash tray and floor lamp)	$19.56
Accessory group, Convenience (Standard Station Wagon) (includes glove box lamp; visor vanity mirror; underhood lamp; electric clock; outside rear view mirror; ash tray and floor lamp; hand brake signal)	41.90
Accessory group, Convenience (Standard Station Wagon) (includes glove box lamp; visor vanity mirror; underhood lamp; electric clock; outside rear view mirror; ash tray and floor lamp)	37.94
Accessory group, Convenience (all Standard except Station Wagon) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; electric clock; outside rear view mirror; ash tray and floor lamp; hand brake signal)	44.21
Accessory group, Convenience (all Standard except Station Wagon) (includes glove box lamp; luggage compartment lamp; visor vanity mirror; underhood lamp; electric clock; outside rear view mirror; ash tray, and floor lamp)	40.25
Accessory group, (Protection all except Station Wagon) (includes front and rear bumper wing guards; front bumper grille guard; rear bumper master (guard))	54.83
Air cleaner, oil bath (all 6-cylinder automobiles)	7.82
Air cleaner, oil bath (all 8-cylinder automobiles)	10.21
Back-up lamp (all lines or series)	12.41
Battery, heavy duty, 19 plate (all lines or series)	7.53
Bumper grille guard, front (all lines or series)	17.48
Bumper grille guard, front, and rear bumper master guard (all lines or series except Station Wagon)	37.84
Bumper wing guards, front and rear (all lines or series except Station Wagon)	19.36
Bumper wing guards, front only (Station Wagon)	9.13
Clock, electric (all Standard automobiles)	20.50
Clutch, heavy duty or taxi (all 6-cylinder, except taxi)	2.89
Cushions, latex foam (all lines or series except Standard Station Wagon)	25.20
Cushions, latex foam (Standard Station Wagon)	36.95
Directional signal (all lines or series)	16.90
Fender shields, rear (all lines or series)	19.07
Fog lamps, auxiliary (all lines or series)	20.73
Generator, police or heavy duty (all lines or series)	66.03
Glass—E-Z-I (all lines or series)	46.33
Heater and defroster, dash (all lines or series except DeLuxe Convertible Coupe)	44.49
Heater and defroster, underseat (all lines or series)	80.82
Hood ornament, lighted (all lines or series)	5.65
Hydramatic transmission (all lines or series)	178.35
No roll (all synchromesh automobiles)	21.65
Paint, special, solids (all lines or series)	40.50
Paint, two-tone, special (all lines or series)	40.50

PONTIAC PASSENGER AUTOMOBILES—Continued

Paint, two-tone, standard (all lines or series)	$17.34
Paint, any body painted to specifications of Federal, State, County or City Government—quantity 1 to 4	6.38
Paint, any body painted to specifications of Federal, State, County or City Government—quantity 5 or more	No charge
Paint, any non-standard solid color combination, (except white, ivory, red, maroon, yellow and orange which require a color ground coat) not specified for current production, commercial users—quantity 1 to 4	6.38
Paint, any non-standard solid color combination (except white, ivory, red, maroon, yellow and orange which require a color ground coat) not specified for current production, commercial users—quantity—5 or more	No charge
Paint, any two-tone color combinations (except white, ivory, red, maroon, yellow and orange which require a color ground coat) not specified for current production, commercial users—quantity 1 to 4	17.34
Paint, any two-tone color combination (except white, ivory, red, maroon, yellow and orange which require a color ground coat) not specified for current production, commercial users—quantity 5 or more	12.70
Paint, any non-standard solid color and/or two-tone combination of/or with white, ivory, red, maroon, yellow and orange not specified for current production, commercial users—any quantity	26.07
Radio antenna, 93-inch (all lines or series)	.88
Radio antenna, electric operated (all lines or series)	19.95
Radio and antenna, 63-inch (all lines or series)	79.91
Right-hand drive (all 6-cylinder automobiles)	28.95
Safety jack (all lines or series)	15.63
Safety lamp, left-hand with mirror (DeLuxe Convertible Coupe and automobiles equipped with convenience group)	24.05
Shock absorbers, heavy duty, front and rear (all lines or series)	1.73
Springs, chassis, heavy duty, front (all lines or series)	1.73
Springs, chassis, heavy duty, rear (all lines or series)	5.82
Steering wheel, Deluxe (all Standard series)	17.90
Sun visor and viewer (all lines or series except Deluxe Convertible Coupe)	26.39
Taxi group complete (6-cylinder automobiles)	50.98
Taxi group complete (8-cylinder automobiles)	44.01
Safety lamp left-hand with mirror (all except Deluxe Convertible coupe and automobiles equipped with convenience group)	26.27
Traffic light viewer (all lines or series)	5.59
Tires, set of 5, 7.10 x 15, 6 ply, black side wall (all lines or series except Station Wagon)	45.13
Tires, set of 5, 7.10 x 15, 4 ply, white side wall (all lines or series except Station Wagon)	33.60
Tires, set of 5, 7.10 x 15, 6 ply, white sidewall (all lines or series except Station Wagon)	89.13
Tires, set of 5, 7.10 x 15, 6 ply, white sidewall (Station Wagon)	44.01

PONTIAC PASSENGER AUTOMOBILES—Continued

Tires, set of 5, 7.60 x 15, 4 ply, black sidewall (all lines or series except Station Wagon)	$17.36
Tires, set of 5, 7.60 x 15, 4 ply, white sidewall (all lines or series except Station Wagon)	53.25
Tires, set of 5, 7.60 x 15, 6 ply, black sidewall (all lines or series except Station Wagon)	64.83
Tires, set of 5, 7.60 x 15, 6 ply, white sidewall (all lines or series except Station Wagon)	113.45
Tires, set of 5, 7.60 x 15, 6 ply, black sidewall (Station Wagon)	19.70
Tires, set of 5, 7.60 x 15, 6 ply, white sidewall (Station Wagon)	68.30
Upholstery, trim, special, leather for police cars (Chieftain 2-door Sedan, and Chieftain 4-door Sedan)	96.15
Upholstery, trim, genuine leather, deep buff, trim combination in tan leather, red leather, green leather, blue leather, or black leather (Deluxe Convertible Coupe)	28.95
Upholstery, trim, solid leather (Convertible Coupe only)	28.95
Wheel discs, chrome (all Standard models and Deluxe Station Wagon)	15.99
Wheel trim rings (all Standard models and Deluxe Station Wagon)	13.56
Windshield washer (all lines or series)	11.31

OLDSMOBILE PASSENGER AUTOMOBILES

Accessory group ZZ (includes exhaust extension, visor vanity mirror, underhood light, glove box light, luggage compartment light) (all lines or series)	$10.91
Air cleaner, heavy duty (Deluxe 88)	5.02
Air conditioner, heater and defroster, Deluxe (all lines or series)	79.58
Back-up lights, 2 (all lines or series)	21.16
Clock, electric (all lines or series except 98 Deluxe)	18.29
Fender panels, rear (Deluxe 88 and Super 88)	17.60
Glass, tinted (all lines or series)	45.67
Hydramatic drive (all lines or series)	178.35
Mirror, glareproof tilt-type (all lines or series)	5.81
Oil filter (all lines or series)	10.27
Paint, two-tone (all body styles except Holiday Coupe)	14.22
Radio, Deluxe, 6-tube, push button (all lines or series)	100.82
Radio, Super DeLuxe, 8-tube, signal seeking tuner (all lines)	129.36
Seat cushions, foam rubber, front and rear seats (88)	22.84
Steering wheel and horn button, DeLuxe (all lines or series except 98 DeLuxe)	14.09
Steering, hydraulic (all lines or series)	198.90
Tires, oversize, set of 5, 8.00 x 15, black sidewall (all 98 except Convertible Coupe)	19.41
Tires, oversize, set of 5, 8.00 x 15, white sidewall (all 98 except Convertible Coupe)	52.51
Tires, set of 5, white sidewall, 7.60 x 15 (all except 98 Convertible Coupe)	29.41
Tires, set of 5, 8.00 x 15, white sidewall (98 Convertible Coupe)	33.10
Upholstery, trim, leather seats, cushions and quarter panels (Super 88 DeLuxe Holiday Coupe)	74.22
Upholstery, trim, leather seats, cushions and quarter panels (98 DeLuxe Holiday Coupe)	114.17

OLDSMOBILE PASSENGER AUTOMOBILES—Con.

Upholstery, two-tone leather (98 DeLuxe Convertible)	$28.55
Turn signal (DeLuxe 88 and Super 88)	24.63
Watch, Oldsmobile car (all equipped with group H except 98 DeLuxe)	35.21
Watch, Oldsmobile car (98 Deluxe)	16.88
Wheel discs, set of 4 (all except 98 DeLuxe)	14.67
Wheel discs, set of 4 (98 DeLuxe)	2.28
Wheel trim rings, set of 5 (all except 98 DeLuxe)	12.36
Windshield washer (DeLuxe 88 and Super 88)	10.87
Window and seat regulator, hydraulic (Super 88, DeLuxe Convertible Coupe)	131.29
Window and seat regulator, hydraulic (Super 88, DeLuxe Holiday Coupe)	148.42

BUICK PASSENGER AUTOMOBILES

Accessory group (includes electric clock; license plate frame; wheel trim rings; luggage compartment light) (40 series)	$22.76
Accessory group (includes electric clock; license plate frame; wheel covers; luggage compartment light) (40 series)	34.13
Antenna only (all lines or series)	8.54
Automatic transmission (40 and 50 series)	178.00
Back-up lights (40 and 50 series)	11.37
Directional signals (40 series)	11.37
E-Z Eye glass (all except body style 41, 46, 46S, 48)	45.49
Heater and defroster (all lines or series)	62.56
Mirror, non-glare (40 and 50 series)	5.68
Optional gear ratio (all lines and series except body styles Nos. 59 and 79R)	No charge
Paint, two-tone, standard combinations (body styles Nos. 41D, 45R, 46S, 48D, 51, 52 and 56R)	11.37
Paint, special standard solid colors other than as specified (all lines or series except body styles Nos. 46C, 56C, and 76C)	28.44
Paint, two-tone, special combinations of standard colors (body styles Nos 41D, 45R, 46S, 48D, 51, 52, 56R, 72R and 76R)	28.44
Paint, special, other than standard colors (all lines or series)	91.01
Power drive (series 70)	185.00
Radio and antenna, sonomatic (all lines or series)	85.32
Radio and antenna selectronic (all lines or series)	113.77
Seat cushion, foamtex (body style No. 46 only)	7.96
Seat cushion, foamtex (40 series except body style No. 46)	15.93
Steering wheel, DeLuxe (40 series)	11.37
Tires, set of 5, 7.60 x 15, 4 ply, white wall (40 and 50 series)	29.30
Tires, set of 5, 8.00 x 15, 4 ply, white wall (70 series)	32.90
Upholstery, trim, custom, leather and cloth (body style No. 56R)	36.41
Upholstery, trim, custom, broadcloth (body style No. 72R)	56.88
Wheel covers (50 Series)	11.37
Window and seat hydraulic controls (body styles Nos. 52 and 72R)	136.50
Windshield washer (40 and 50 Series)	8.54

CADILLAC PASSENGER AUTOMOBILES

Antifreeze (all lines or series) (per quart)	$0.28
Carpet, rear, uncut and foot rest loose (75 Touring Sedan)	5.18
Color, special (all lines or series)	162.01
Color, special (75 Series)	163.17
Color, special (Coupe DeVille)	182.76
Color combination, special, options	

CADILLAC PASSENGER AUTOMOBILES—Con.

A and B (all lines or series)	$7.20
Color combination, special, option C (all lines or series)	19.03
Color combination, special, options D and E (all lines or series)	35.73
Color combination, special (all lines or series except Convertible Coupe and Coupe DeVille)	19.03
Color, special, (Series 60S and Convertible Coupes)	162.01
Engine, equipped with special pistons to provide 8:1 compression ratio (all lines or series)	23.02
E-Z Eye glass (all lines or series)	46.05
Floor mat, special, rear compartment (Series 75 Touring Sedan)	9.51
Fog lamps (all lines or series)	37.39
Heating system, automatic with rear blower, Deluxe (series 61, 62, 60S except Convertible)	115.12
Heating system, automatic with rear blower, Deluxe (series 75)	149.69
Heating system, automatic, standard (series 61, 62, 60S)	109.36
Heating system, automatic, standard (series 75)	143.94
Hydra-Matic (series 61 and 75)	199.66
Low compression head on domestic cars which will be used abroad (all lines or series)	21.32
License frames, pair (all lines or series)	4.33
Mirror, outside, rear view (all lines or series except Convertible)	6.32
Mirror, visor, vanity (all lines or series)	1.88
Oil filter (all lines or series)	11.48
Power steering (all models equipped with Hydra-Matic Transmission)	198.43
Radio, signal seeking, Deluxe, includes antenna (all lines or series)	125.12
Radio, signal seeking, Standard, includes antenna (all lines or series)	119.40
Radio, signal seeking, Deluxe, includes antenna, auxiliary speaker (all lines or series except Convertible)	136.60
Radio, signal seeking, Standard, includes antenna and auxiliary speaker (all lines or series except Convertible)	130.88
Radio, signal seeking, remote control, includes antenna, rear speaker and rear seat control (series 75)	217.20
Radio, push button, includes antenna (all lines or series)	102.44
Speaker, rear, auxiliary (all lines or series except Convertible)	11.46
Tires, set of 5, 8.00 x 15, 4 ply, white sidewall (series 61, 62, 60S)	34.21
Tires, set of 5, 8.20 x 15, 6 ply, white sidewall (series 75)	46.59
Transmission, Mountain type (series 75)	70.31
Trim rings, set of 5 (all lines or series)	10.83
Upholstery, front and rear seat cushions and back rests with leather (series 60S, Touring Sedan)	171.59
Upholstery, front and rear seat cushions and back rests with leather (series 62, Touring Sedan)	192.00
Upholstery, front and rear seat cushions and back rests with leather (series 62, Special Sport Coupe)	175.31
Upholstery, front and rear seat cushions and back rests with leather (series 61, Touring Sedan)	202.09
Upholstery, leather trim, special, customer to furnish (62 Touring Sedan)	123.67
Upholstery, one-tone of standard leather used to trim entire interior (Convertible Coupe)	30.23

CADILLAC PASSENGER AUTOMOBILES—Con.

Upholstery, Coupe DeVille leather used to trim (Convertible Coupe)	$19.03
Upholstery, special imitation leather in headlining and leather throughout (62 Coupe DeVille)	189.97
Upholstery trim, entire interior in leather (60S, Touring Sedan)	334.39
Upholstery, trim, entire interior in leather (62, Touring Sedan)	397.81
Upholstery, trim, front compartment with cloth (75, Imperial Sedan)	66.83
Upholstery, trim, instrument panel and panel inserts with leather (62 Coupe DeVille)	139.54
Upholstery, trim, special (75 Touring Sedan)	277.18
Window lifts and seat controls, automatic (62 Touring Sedan and 62 Sport Coupe)	140.41
Windshield washer (all lines or series)	11.50
Wheel discs, set of 4 (all lines or series)	28.76

GMC SUBURBAN PASSENGER AUTOMOBILE

Cleaner, Air, including pint oil bath	$3.84
Cleaner, Air, including quart oil bath	4.93
Cooling increased	14.28
Generator, 25 ampere	16.47
Governor	6.16
Oil filter	10.99
Paint, special G. M. C. color, wheels different color	1.64
Paint, special, stripe any G. M. C. color	1.64
Paint, special, stripe any special color not G. M. C.	1.64
Paint, moulding around grille, any special color	3.29
Paint, wheels, any special color not G. M. C.	4.39
Paint, hood, any standard G. M. C. color	4.67
Paint, hood, any special color	5.49
Paint, fenders, standard G. M. C. color	6.05
Paint, fenders, standard black	6.05
Paint, one color, not G. M. C. color	6.59

GMC SUBURBAN PASSENGER AUTOMOBILE—Con.

Paint, fenders, special color	$9.89
Paint, moulding, standard G. M. C. color	10.71
Paint, moulding, special color	11.54
Paint, chassis running gear, any G. M. C. color	18.68
Paint, G. M. C. colors not standard combinations	20.88
Paint, chassis running gear, any special color	25.26
Paint, not G. M. C. colors, 2 colors	27.46
Shock absorber shields	1.64
Tires, optional, front, single rear and spare, 6.50 x 16, 6-ply	36.25
Tires, optional, front, single rear, 15-inch, 6-ply	98.83
Transmissions, 4-speed	43.95
Vacuum pump	8.79

3. Sellers covered by this order will apply the charges for excise, overhead and handling (EOH) to the basic prices and charges established by the order in accordance with section 2 of Ceiling Price Regulation 83.

4. Appendix A to this order lists the items which are included as standard equipment on the 1952 model automobiles manufactured by the General Motors Corporation.

5. All provisions of Ceiling Price Regulation 83 not inconsistent with this order, including the posting, invoicing, and record-keeping requirements, remain in effect as to sales covered by this order.

6. This order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This Special Order 11 shall become effective January 24, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

APPENDIX A—ITEMS OF STANDARD EQUIPMENT ON 1952 MODEL AUTOMOBILES MANUFACTURED BY THE GENERAL MOTORS CORPORATION

CHEVROLET PASSENGER AUTOMOBILES

Description	*Body styles on which included*
Arm rest—Front doors	All Deluxe.
Ash receiver—Front	All Deluxe.
Ash receiver—Rear	All Deluxe (except Station Wagon).
Cigar lighter—Front	All Deluxe.
Carpet insert—Front floor mat	All Deluxe.
Rubber front floor mat	All Specials.
Clock—Spring wind	All Deluxe.
Door locks	All body styles.
Dome light switch—Automatic	All Deluxe.
Gravel pads—Rear fender—Rubber	All Specials.
Gravel pads—Rear fender—Steel	All Deluxe.
Guards—Bumper—Front and rear	All body styles.
Horn ring	All Deluxe.
Mirror—Rear view—Inside	All body styles.
Seat cushion—Foamtex	All Deluxe (front only on Station Wagon).
Solenoid starter on dash	All body styles.
Wheel shield—Rear	All Deluxe.
Windshield wipers—Dual	All body styles.
Visor—Left hand	All body styles.
Visor—Right hand	All Deluxe.
Jack and jack handle	All body styles.

PONTIAC PASSENGER AUTOMOBILES

Arm rest—Front doors	All body styles.
Arm rest—Rear doors	All body styles.
Ash receiver—Front compartment	All body styles.
Ash receiver—Rear compartment	All body styles.
Cigarette lighter—Front compartment	All body styles.
Clock—Electric	Deluxe body styles.
Light—Courtesy	Convertible and Catalina body styles.
Light—Dome automatic	All body styles.
Mouldings—Fender	Deluxe body styles.

PONTIAC PASSENGER AUTOMOBILES—continued

Description	*Body styles on which included*
Mouldings—Reveal	All body styles.
Pump—Vacuum booster	All body styles.
Shields—Gravel—Rear fender—Rubber	Standard body styles.
Shields—Gravel—Rear fender—Steel	Deluxe body styles.
Sun visor—Right hand—Inside	All body styles.
Switch—Starter dash	All body styles.
Tires—6-ply	Station Wagon body styles.
Wheel—Steering deluxe	Deluxe body styles.
Wheel—Disc	Deluxe body styles except Deluxe Station Wagon.
Jack and jack handle	All body styles.
Tool kit (includes screw driver and pliers)	All body styles.

OLDSMOBILE PASSENGER AUTOMOBILES

Arm rest—Front and/or rear door or rear quarter	All body styles.
Arm rest—Rear compartment center	98 4-Door Sedan.
Ash receiver—Front seat	All body styles.
Ash receiver—Rear seat	All body styles.
Ash receiver—Chrome die-cast and package compartment door.	All body styles.
Bumper and bumper guards	All body styles.
Carpet front and rear to match interior color combination.	All Holiday Coupes and 98 4-Door Sedan.
Rubber simulated carpet front and rear to match interior color combination.	All Super 88 body styles except Holiday Coupe and 98 Convertible Coupe.
Gray rubber simulated carpet front and rear	All Deluxe 88 body styles.
Coat hooks	All except Convertible Coupes.
Clock—Electric	All 98 body styles.
Compartment—Lined luggage	All body styles.
Compartment—Instrument panel package	All body styles.
Door—Hydraulically operated, rear quarter windows and front seat adjuster.	98 Holiday and 98 Convertible Coupes.
Glass—Safety plate	All body styles.
Headlining—Cloth	All except Convertible Coupes.
Horns—Dual	All body styles.
Lighter—Cigarette	All body styles.
Dome lamp (single)	All except Holiday Coupes and 98 4-Door Sedan.
Side roof courtesy lamps (two)	All Holiday Coupes and 98 4-Door Sedan.
Lights—Dual stop	All body styles.
Lights—Parking	All body styles.
Locks—Rear doors adjusted for free-wheeling	All 4-Door Sedans.
Mirror—Rear view, inside	All body styles.
Mirror—Rear view, outside, left-hand	All Convertible Coupes.
Molding, windshield reveal	All body styles.
Molding, rear window reveal	All except Convertible Coupes.
Molding, belt	All body styles.
Molding, front fender and front door side	All body styles.
Molding, rear fender and/or rear door	All body styles.
Molding, front and rear door and roof quarter loop reveal.	98 4-Door Sedan.
"Ninety-Eight" Script/or "88" numerals—Rear door or fender, stainless steel.	All except Deluxe 88.
Pads—Foam rubber seat cushion	All except Deluxe 88.
Panels—Rear fender	All 98 body styles.
Plates—Door sill aluminum	All body styles.
Pump—Vacuum booster	All body styles.
Rings—Wheel trim, stainless steel	All 98 body styles.
Roof bows—Chrome plated	All Holiday Coupes.
Robe rail—Front seat back	All except Deluxe 88.

OLDSMOBILE PASSENGER AUTOMOBILES—continued

Description	*Body styles on which included*
Sash—Rear fender stainless steel above rear door and/or rear fender molding and deluxe tail lamps.	All except Deluxe 88.
Seat—Front, adjustable manually	All except 98 Holiday and Convertible Coupe.
Shield—Gravel, rubber	Deluxe 88.
Shield—Gravel, stainless steel	All except Deluxe 88.
Signal—Turn	All 98 body styles.
Starter—Key starter	All body styles.
Straps—Assist, 2-door models only	Deluxe 88 2-door and Super 88 2-door.
Top—Black or tan or green	All Convertible Coupes.
Top—Hydraulically operated	All Convertible Coupes.
Upholstery—All leather	All Convertible Coupes.
Upholstery—Combination cloth and leather	All Holiday Coupes.
Upholstery—Gray basket weave corded cloth	All DeLuxe 88.
Upholstery—Two-tone trim, deluxe	All Super 88 except Holiday and Convertible Coupes and 98 4-Door Sedan.
Ventipanes—Front window	All body styles.
Ventipanes—Rear window, 4-door sedans	All 4-Door Sedans.
Visors—Sun, two interior	All body styles.
Washer—Windshield	All 98 body styles.
Wheel—Steering deluxe and horn ring	All 98 body styles.
Wheels—Five wheels and five low-pressure tires	All body styles.
Wipers—Dual	All body styles.
Windshield—Single-piece, curved	All body styles.
Jack and jack handle	All body styles.

BUICK PASSENGER AUTOMOBILES

Windshield washer	70 series.
Nonglare mirror	70 series.
Safety group:	
Back-up lights	70 series.
Inner bumper grille guards	70 series.
Parking brake warning light	70 series.
Accessory group:	
Electric clock	50–70 series.
License plate frame	50–70 series.
Wheel covers	70 series.
Luggage compartment light	50–70 series.
Wheel trim rings	50 series.
Deluxe steering wheel	50–70 series.
Foamtex cushion seat	50–70 series.
Automatic transmission	70 series.
Hydraulic control—Window and seat	46C–56C–76C–76R.
Two-tone paint—Standard combinations	72R–76R–76MR.
Arm rest—Front and rear	50–70 series.
Arm rest—Front and rear	41D–45R–46C–48D.
Arm rest—Rear seat center	51–52–72R.
Ash receivers—Front compartment	All body styles.
Ash receivers—Rear compartment	All body styles.
Cigarette lighter—Front compartment	All body styles.
Cigarette lighter—Rear compartment	51–52–72R.
Cleaner air—Oil bath	All body styles.
Filter—Oil	All body styles.
Light—Dash compartment or map	All body styles.
Light—Dome automatic	All body styles.
Moldings—Fender side	All body styles.
Pump—Vacuum booster	All body styles.
Robe rail or cord	50–70 series (except Estate Wagons).
Robe rail or cord	41D–48D.
Shields—Gravel—Rear fender—Steel	All body styles.

BUICK PASSENGER AUTOMOBILES—continued

Description	Body styles on which included
Sun visor—Right and left inside	All body styles.
Tires—Oversize	All body styles.
Directional signals	50–70 series.
Jack and jack handle	All body styles.

CADILLAC PASSENGER AUTOMOBILES

Rear seat center arm rest	All except 61 Coupe and 62 Convertible.
Back-up lights	All body styles.
Cigarette lighter—Rear compartment	All except 61 Coupe, 62 Coupe and 62 Convertible.
Electric clock	All body styles.
Foamtex cushion seats	All body styles.
Trunk light	All body styles.
Rear-view nonglare mirror	All body styles.
Two-tone paint	All except 62 Convertible.
Rear wheel cover panels	All body styles.
Directional signals	All body styles.
Deluxe steering wheel	All body styles.
Outside rear-view mirror	62 Convertible.
Hydra-Matic	62 and 60 Special.
Automatic window lifts and seat controls	60 Special, Coupe De Ville, Convertible Coupe, and all 75 body styles.
Jack and jack handle	All body styles.

GMC SUBURBAN AUTOMOBILES

Adjustable right- and left-hand sun visor	GMC Suburban.
Arm rest—Driver's side	GMC Suburban.
Left-hand rear-view mirror	GMC Suburban.
Dome lamp	GMC Suburban.
Ash tray	GMC Suburban.
Dual windshield wipers	GMC Suburban.
10 standard color combination options	GMC Suburban.
Jack and jack handle	GMC Suburban.

[F. R. Doc. 52–1105; Filed, Jan. 24, 1952; 11:48 a. m.]

[Delegation of Authority No. 40, Supplement 1]

REDELEGATION OF AUTHORITY TO TAKE SWORN TESTIMONY AND ADMINISTER OATHS AND AFFIRMATIONS

By virtue of the authority vested in me as Assistant Director of Price Stabilization for Enforcement (Director of Enforcement) by Delegation of Authority 40 (16 F. R. 12411) this Supplement 1 to Delegation of Authority 40 is hereby issued.

The authority to take sworn testimony and administer oaths and affirmations is hereby redelegated to the several (a) District Enforcement Directors, (b) Acting District Enforcement Directors, (c) Regional Enforcement Directors, (d) Acting Regional Enforcement Directors, (e) Special Agent-Attorneys, and (f) Special Agents in Charge, subject to such rules, regulations and orders as may hereafter be issued by the Assistant Director of Price Stabilization for Enforcement.

This supplement shall be effective January 25, 1952.

EDWARD P. MORGAN,
Assistant Director of Price Stabilization for Enforcement.

JANUARY 24, 1952.

[F. R. Doc. 52–1106; Filed, Jan. 24, 1952; 11:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Dissolution Order 94]

ELLY COAL CO.

Whereas, by Vesting Order No. 5523, dated January 3, 1946 (11 F. R. 897, Jan. 24, 1946) the direction, management, supervision, and control of said Elly Coal Company was undertaken and there were vested (1) 16,667 shares, representing 83.35 percent of the 20,000 outstanding shares of capital stock having a par value of $100 each of the Elly Coal Company, an Illinois corporation and (2) the claims of the estate of George Hirsch, deceased, his heirs, legatees, and executors represented by three notes secured by mortgages together, with interest thereon; and,

Whereas, the remaining 3,333 shares of issued and outstanding capital stock of the Elly Coal Company have been acquired by the Attorney General of the United States by purchase from the United Continental Corporation; and,

Whereas, the Elly Coal Company has been substantially liquidated;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claims, if any, as the Attorney General of the United States may have for money advanced or services rendered to or on behalf of the corporation; and

2. Finding that the known assets of said corporation consist of cash in the amount of $33,479.15 as of October 19, 1951; and,

3. Having determined that it is in the national interest of the United States that said corporation be dissolved and that its assets be distributed and a "Voluntary Consent of Stockholders to the Dissolution" having been executed, and a "Statement of Intent to Dissolve by Voluntary Consent of Shareholders" has been filed with the Secretary of State of Illinois and the Recorder of Macoupin County, Illinois, in which county is the registered office of the corporation:

Hereby orders that the officers and directors of the corporation (to wit: Clarence S. Smith, President and Director; Oliver B. Nickerson, Vice-President and Director; Guy T. Reid, Treasurer and Director; Lewis E. Rubin, Director; and Henry G. Hilken, Director and their successors, or any of them) continue the proceedings for the dissolution of Elly Coal Company; and

Further orders that the said officers and directors wind up the affairs of the said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State, and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then pay over, transfer, assign, and deliver to the Attorney General of the United States all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him first in satisfaction of such claim, if any, as he may have for moneys advances or service rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the Attorney General of the United States as holder of all the issued and outstanding stock of the corporation; and

Further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the Trading with the Enemy Act, as amended, of any person who may have a claim against said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such person: *Provided, further,* That any such claim against said corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and

manner prescribed for such claims by the Trading with the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

Further orders, that all actions taken and acts done by the said officers and directors of Elly Coal Company, pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C., January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-980; Filed, Jan. 24, 1952; 8:49 a. m.]

JACQUES JEAN-MARIE JULES GERIN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Jacques Jean-Marie Jules Gerin, Boulogne Billancourt, France; Claim No. 37103; property described in Vesting Order No. 666 (8 F. R. 5047, April, 17, 1943) relating to United States Letters Patent Nos. 1,858,924; 1,979,194; 2,049,096; 2,072,299; 2,136,128 and 2,241,196.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant, Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-981; Filed, Jan. 24, 1952; 8:49 a. m.]

ENGELBERT RINDLER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No.; Property, and Location

Engelbert Rindler, Carinthia, Austria; Claim No. 42073; $871.88 in the Treasury of the United States.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-987; Filed, Jan. 24, 1952; 8:50 a. m.]

JOSEFA WEIXELBRAUN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Josefa Weixelbraun nee Rindler, Carinthia, Austria; Claim No. 42076; $871.88 in the Treasury of the United States.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-982; Filed, Jan. 24, 1952; 8:50 a. m.]

ANTOINE HEURTIER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Antoine Heurtier, Saint Etienne, Loire, France; Claim No. 37104; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,233,839.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-988; Filed, Jan. 24, 1952; 8:50 a. m.]

ELISA AND SAIDI CASAGRANDE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Elisa Casagrande, Borzonasca, Genoa, Italy, Claim No. 40642; $4,212.01 in the Treasury of the United States. All right, title and interest of Elisa Casagrande in and to the Estate of Carlo Casagrande, deceased.

Saidi (a/k/a Sadie) Casagrande, Borzonasco, Genoa, Italy; Claim No. 40642; $4,212.01 in the Treasury of the United States. All right, title and interest of Sadie Casagrande in and to the Estate of Carlo Casagrande, deceased.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-985; Filed, Jan. 24, 1952; 8:50 a. m.]

CAMILLE MIESCH AND ETABLISSEMENTS WECO (S. A. R. L.)

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Camille Miesch, Mulhouse (Haut-Rhin), France, Claim No. 41896; and Etablissements Weco (S. A. R. L.), Thann (Haut-Rhin), France, Claim No. 41897; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent 2,194,950, one-half thereof to each claimant.

Executed at Washington, D. C., on January 21, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-983; Filed, Jan. 24, 1952; 8:50 a. m.]